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1915

General Ordinances

OF THE

City of Syracuse



As Amended to November 1st, 1915



Syracuse, N.Y.—Ordinances, etc.

General Ordinances *of the* City of Syracuse

As Amended to November 1, 1915



COMPILED BY
OFFICE OF CORPORATION COUNSEL
• 1915 •



PRESS OF
HALL & MCCHESENEY
SYRACUSE, N. Y.

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TABLE OF CONTENTS.

	PAGE
Auctions, Auction Sales, Auctioneers.....	13
Bathing	14
Bill Posting.....	76
Boilers and Engines.....	79
Cartmen	14
Cemeteries	15
City Officers.....	83
City Seal.....	18
Disorderly Houses.....	36
Documents and Records.....	19
Exhibitions and Theatricals.....	34
Fire Alarm Telegraph.....	20
Firearms and Explosives.....	30
Fire Limits	21
Flags, City.....	18
Garbage, Ashes and Rubbish.....	27
Hacks, Public.....	32
Jitney Busses.....	107
Junk Dealers.....	74
Itinerant Vendors.....	77
Milk	43
Miscellaneous	84
Municipal Lodging House.....	83

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TABLE OF CONTENTS—(Continued)

	PAGE
Nuisances	44
Ordinances	115
Pawnbrokers	50
Parks and Public Grounds.....	49
Petroleum	54
Physicians	56
Police	56
Prevention of Fire.....	24
Public Markets.....	37
Public Pound.....	10
Public Peace.....	46
Railroads and Steamboats.....	57
Sale of Drugs.....	103
Sidewalks and Gutters.....	61
Soliciting	113
Streets and Bridges.....	5
Water	71
Weights and Measures.....	67

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Disorderly Houses.....	36
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Firearms and Explosives.....	30
Fire Limits	21
Flags, City.....	18
Garbage, Ashes and Rubbish.....	27
Hacks, Public.....	32
Jitney Busses.....	107
Junk Dealers.....	74
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Prevention of Fire.....	24
Public Markets.....	37
Public Pound.....	10
Public Peace.....	46
Railroads and Steamboats.....	57
Sale of Drugs.....	103
Sidewalks and Gutters.....	61
Soliciting	113
Streets and Bridges.....	5
Water	71
Weights and Measures.....	67

GENERAL ORDINANCES

All ordinances of the city of Syracuse and each and every part thereof in force at the time of the passage of the ordinances herein contained are hereby repealed, said repeal to take effect from and after the last day of December, eighteen hundred and ninety-nine. The ordinances herein contained to take effect January one, nineteen hundred, pursuant to section thirty-one of article two of an act of the legislature of eighteen hundred and ninety-eight, amended by the legislature of eighteen hundred and ninety-nine, for the government of cities of the second class.

Provided that nothing herein contained shall be construed to effect the right of the city to sue for and recover or impose any penalty incurred prior to the first day of January, nineteen hundred, under any of the ordinances hereby repealed.

CHAPTER 1.

STREETS AND BRIDGES.

Section 1. No person shall place, or cause to be placed, or assist in placing, or erect or attempt or assist in erecting, any stone, brick, board, plank, timber, lumber, construction work or other material for building in or upon any street, alley or public square or city property in the city without written permission from the commissioner of public works.

The commissioner of public works may give permission in writing to any person to place and keep building material to be used for the purpose of building in any of the streets, alleys or public squares of the city in front of the lot or place where the building is to be erected, such permission shall not be for a longer period than three months, nor shall it authorize the obstruction of any sidewalk or gutter, nor more than

one-half of the carriage way of the street against such lot or place. Any such permission may be revoked by the commissioner of public works or by the common council.

(Amendment May 20, 1907.)

Every person obtaining such permission shall cause all such materials and the rubbish accumulated to be removed from the streets as soon as the work upon the building shall have been completed or the permission granted shall have expired or have been revoked.

§ 2. No person shall injure or tear up any pavement, street or crosswalk, nor shall any person dig any hole or trench in any street to connect with sewer or gas pipe, or for any other purpose, without first having obtained permission of the commissioner of public works in writing; and any person who shall tear up the pavement of any street or dig any hole or trench in any street shall restore such street and pavement to as good condition as it was before, and such pavement shall be relaid and such hole or trench shall be refilled under the direction of and to the satisfaction of the commissioner of public works.

When consent shall be obtained to connect with a sewer, the person obtaining the same or making such connection, or his grantees, shall not be entitled to claim of the city for any damage sustained by reason of the flooding of the sewer with which such connection shall be made, whether such flooding shall be occasioned by want of capacity of such sewer or obstruction therein; and any person who shall connect a drain or sewer from his or her premises with any public sewer shall waive all damages which such person may be subjected to on account of back water from such public sewer.

§ 3. Any person who shall dig or cause to be dug any hole or trench in any street, lane or alley of the city, and shall not properly refill the same before dark of the same day, shall notify the commissioner of public works and the chief of the fire department that he proposes to leave such hole or trench open during the following night protected by a suitable guard and signals and giving the exact location thereof and shall serve such notice before five o'clock P. M. of the same day.

§ 4. No person shall sweep, throw or deposit, or cause to be swept, thrown or deposited, any ashes, dirt, stone, brick, straw, hay, grass, weeds, chips, shavings or rubbish of any kind, or any slops, or foul liquid of any kind, into any street, gutter or public square or park, or on any sidewalk within the city.

No person shall deposit in any public square except for the purpose of immediate removal any wood, timber, lumber or other material, and except he shall forthwith remove the same.

§ 5. No wagonmaker, blacksmith, innkeeper or other person shall permit any detached vehicle to remain in any street or bicycle in any roadway, and any detached vehicle so left in the street may be forthwith taken by any policeman or the pound keeper to the public pound, the expense of such removal to be paid by the owner of the vehicle.

§ 6. No person shall permit or cause any horse or other animal, wagon or other vehicle or street car to stand on any crosswalk of the city for a longer time than is necessary for a person to alight therefrom, or to get into any such vehicle or street car, nor except for that purpose.

§ 7. No person shall, without permission from the commissioner of public works, dig, remove or carry away any stone, earth, sand or gravel from any street, lane or public park or square or city property in the city.

§ 8. No person shall leave any horse or horses or other animal in the street without being securely tied, or hitch or fasten any horse or other animal to any lamppost or tree, or shall injure any tree, shrub or fixture of any kind in any street, public square or park within the city.

§ 9. No person shall break, injure, deface or molest any lamp, lamppost, globe burner, or any part of a fixture belonging to any gas or oil lamp or electric light belonging to the city or to any company, person or corporation or shall, without authority, extinguish any street light in any street, lane, alley, public square or park within the city or fasten any placard, handbill, poster or notice, or sign of any kind, or any

article of goods or merchandise upon or against or in any manner connect the same with any lamp or lamppost, electric light or telephone pole in the city or make any other use of such lamp or lamppost or pole at any time.

§ 10. No person shall use, open or draw water from or in any manner interfere with any hydrant in the city of Syracuse without permission in writing from the commissioner of public works.

§ 11. No person shall haul or transport, or cause to be hauled or transported from or through or across any of the streets within the city any gravel, stone, sand, dirt, iron or scrap iron, or other substance, in any wagon or other vehicle which is not so constructed as to prevent the material with which it may be loaded from dropping, sifting through or in any manner being strewn upon any of said streets.

(Amendment of January 11, 1909.)

§ 12. No contractor or employee thereof shall sprinkle side or crosswalks within the city.

§ 13. No person shall extinguish, destroy or remove any signal light placed in or adjacent to any street, park or alley or public ground of the city as a warning of danger.

§ 14. No person shall erect any pole in the streets, sidewalks or public squares of the city, or extend any wire for telephone, telegraph or electric purposes in or across any street or public square of the city without permission by ordinance of the common council.

§ 15. No person shall throw or place in or upon any street, highway or public place of the city or upon any railroad track any salt or saltpeter or any substance for the purpose of dissolving ice and snow, except that the owner or operator of any street surface railroad may use salt in necessary quantities upon the rails of all the switches, curves, turnouts and crossovers between the first day of November of each year and the first day of May following, for the removal of snow and ice therefrom and to prevent the same from freezing. The quantity of salt to be used and the manner of applying salt to the rails to be under the direction of the commissioner of public works.

§ 16. No person shall pour, spill or permit to drop upon any asphalt pavement, laid on any street or alley or public place in the city of Syracuse, any kerosene, benzoine or other similar oil or oily substance or oily liquid, and all oil delivery wagons or tanks shall have securely fastened under the taps or faucets thereunto attached an absolutely oil or water tight zinc lined box or tray, and in filling any measure or other vessel from said tap or faucet such measure or other vessel must be held so that any drip or overflow shall fall into said box or tray, and in removing the same from over the asphalt pavement no drip or overflow from such measure or other vessel shall be permitted to fall upon such pavement, and no receptacle for holding oil shall be placed on any asphalt pavement.

§ 17. It shall be lawful for any owner or occupant of premises fronting upon any public street or alley, in which the grade thereof has been legally established and upon notice from the commissioner of public works, it shall be his duty to plant shade trees along the sidewalk in front of said premises after the grade of such street or alley has been legally established. Such trees, however, shall not be placed nearer than one foot from the curb line, nor shall they be placed within six feet of the center of the sidewalk, except by permission of the commissioner of public works.

All shade trees growing along any sidewalk within the city shall be kept trimmed at least twelve feet from the ground.

The commissioner of public works may, however, allow newly planted trees to remain untrimmed provided they do not interfere with persons using the walk and provided they do not obstruct the light of any electric lamp. The commissioner of public works may remove dead trees or limbs.

§ 18. There shall be maintained a gate or guard chain or rope at the entrance or approach of every hoist or swing bridge within the city which shall be lowered or placed in position whenever said bridges or any of them are open or up.

§ 19. No person shall allow any vehicle to remain on any bridge within the city limits longer than necessary to cross the same.

§ 20. No person shall sell or expose for sale any goods, wares or merchandise on any bridge within the city limits.

§ 21. No person shall cross or enter upon any swing bridge or hoist bridge within the city after the signal shall have been given indicating that the bridge is to be moved.

§ 22. Whenever any person or corporation shall do or cause to be done any steam or street railway work, subway work, steam pipe work, the laying of mains, extending or establishing any telegraph, telephone or electric light system or any other work of a like nature, all excavations or underground work shall be subject to inspection, and the commissioner of public works shall appoint a competent inspector of such work at a compensation not exceeding three dollars per day, the cost of said inspection to be borne and paid by the person, company or corporation doing or causing such work to be done. Whenever such work shall be done in sections or in such a manner that one inspector cannot thoroughly inspect the same in the judgment of the commissioner of public works, then an inspector for each section shall be appointed and paid as herein above provided. Said inspector or inspectors shall see that the property of the city and other corporations, persons or companies holding rights within the streets are properly protected.

CHAPTER 2.

PUBLIC POUND.

Section 1. There shall be maintained by the city of Syracuse a public pound in which shall be distrained all animals and fowls found running at large or pasturing upon or within the limits of any public street or ground, which acts are hereby made unlawful.

§ 2. Any animal or fowl (excepting dogs licensed pursuant to these ordinances) found at large in the streets, parks or public places of the city shall be impounded in the public pound and not released therefrom until the owner shall pay to the pound keeper the sum of two dollars for any dog not licensed as herein provided, one dollar for any other animal and fifty cents for any fowl.

§ 3. The pound keeper shall provide necessary sustenance for all animals or fowls impounded and the owner shall pay

the cost thereof in addition to the fees above provided. It shall be lawful for the pound keeper to sell at public auction any animal or fowl impounded after the expiration of six days upon two days' notice posted at the pound. If the fees and expenses are paid prior to time of sale the animals or fowls shall not be sold but delivered to the owner upon payment. The pound keeper shall render monthly to the common council a statement of all money received by him and the names of persons from whom received and shall deposit the same with the city treasurer.

§ 4. The pound keeper shall not purchase directly or indirectly any animal or fowl sold by him as pound keeper.

§ 5. The city shall not be liable to the pound keeper for any fees or expenses due him on account of animals or fowls impounded.

§ 6. No person shall bury or cause to be buried the body of any animal or fowl within the limits of the city.

§ 7. It shall not be lawful for any dog to run or be at large within the city of Syracuse without being duly licensed and wearing a metal tag as hereinafter provided. Such license shall be signed by the mayor and city clerk and continue in force during the fiscal year in which issued. Every person receiving such license and tag shall pay to the person issuing the same the sum of one dollar for every dog so licensed. All money so received, after deducting thirty per centum thereof, as required by section 96 of the charter for the government of cities of the second class, as amended, to be transferred to the credit of and for the benefit of the police pension fund, and said thirty per centum thereof shall be paid to the city treasurer. Any dog so licensed must wear around its neck a collar to which shall be attached a metal tag distinctly marked with the number designated by the city clerk and stated in the license granted. Such metal tag shall be furnished by the city of Syracuse without charge. Every dog shall be licensed and wear the tag purchased in the same manner yearly thereafter. The use of any other tag as a substitute for those furnished by the city is hereby forbidden. The person issuing said license shall keep a record of all dog licenses granted which

shall show the name and residence of the person to whom said license was given with the number designated upon the metal tag furnished therefor and the breed, color and sex of the dog licensed, which record shall be public.

(See Chap. 294, Laws of 1902.)

§ 8. It shall be the duty of the pound keeper to capture, seize and deliver to the public pound any dog found running at large in the city without having a metal tag attached as provided herein. Any dog so impounded may be redeemed by any person producing the license therefor with the metal tag within forty-eight hours after capture upon payment to the person issuing said license, of the sum of two dollars. Whenever any dog seized shall not be redeemed within said period of forty-eight hours, the pound keeper shall publish in the official papers of the city a notice containing a brief description of all dogs seized and unredeemed for forty-eight hours after their capture and stating the time and place, when and where the same will be destroyed if not redeemed, and in case the owner of the dog is known to the person seizing it, a notice shall be served, either personally or by mail, upon such owner to the effect that said dog has been taken and is unredeemed, and when and where the same shall be destroyed if not redeemed. All dogs not redeemed within seventy-two hours after publication or service of such notice shall be killed by the person impounding the same. The person taking or impounding such dogs shall make a sworn report to the common council upon the first day of each month, showing the number of dogs killed by him and by whom captured during the preceding month.

§ 9. Any person owning a dog or harboring a dog upon premises occupied by him or her for three consecutive days shall be deemed to be the owner thereof and shall obtain a license therefor as provided herein. There shall be appointed a pound keeper who shall serve during the pleasure of the mayor.

CHAPTER 3.

AUCTIONS, AUCTION SALES AND AUCTIONEERS.

Section 1. No person shall act as an auctioneer in the city of Syracuse (except in judicial and legal sales) unless such person shall have complied with the laws of the state of New York regulating auctions and auctioneers, and shall also have procured a license from the mayor or common council, to be signed by the mayor and city clerk, authorizing such person to act as such auctioneer.

§ 2. The fee for such license shall be determined by the common council of the city of Syracuse in each case, and any such license so granted may be revoked by the authority granting the same.

§ 3. Every person, firm or corporation, whether principal or agent, entering into or beginning, or desiring to begin, a transient retail business in the city of Syracuse, New York, for the sale of any goods, wares or merchandise whatever, whether the same shall be represented or held forth to be bankrupt, assignee, about to quit business, or goods damaged by fire or otherwise, must first take out a license therefor. The fee for such license shall be determined by the common council of the city of Syracuse in each case, and any such license so granted may be revoked by the authority granting the same.

§ 4. No person, firm or corporation, whether principal or agent, beginning or desiring to begin business in the city of Syracuse, as provided in section three of this ordinance, shall avoid or evade the payment for the license therein required by the employment of any regularly licensed auctioneer or agent.

§ 5. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than twenty-five dollars and not more than one hundred dollars for each offense. Each day said business is carried on without the procurement of and payment for such license shall constitute a separate offense.

(As amended November 12, 1906.)

CHAPTER 4.

BATHING.

Section 1. No person shall, unless covered by proper garment, swim or bathe in waters of any canal, creek or other public place exposed to the public view except such place or places as shall be designated by the common council.

§ 2. A free public bath shall be maintained by the city. It shall be lawful for any orderly person to avail themselves of the privileges of such bath; such bath shall be kept open between the hours of 6 A. M. and 9 P. M. each day, except that during June, July and August such baths shall be kept open between the hours of 5 A. M. and 10 P. M. each day.

§ 3. There shall be appointed a keeper or superintendent of such public bath who shall superintend the same; he shall keep such public bath in a clean and sanitary condition and report to the commissioner of public works when necessary repairs are needed; he may exclude from the privileges of such bath any disorderly person; he shall exclude from such bath any child not of sufficient age to properly protect itself; he shall carefully watch all children while in the water and see that no person unable to swim shall enter water exceeding his height in depth; said keeper or superintendent may whenever necessary appoint such assistants as may be prescribed by the board of estimate and apportionment to aid him in the discharge of his duties.

CHAPTER 5.

CARTMEN.

Section 1. No person shall pursue within the city the business of cartman, drayman or expressman without a license therefor, which license may be granted by the mayor upon application and payment of a license fee of three dollars (\$3.00) for each cart or vehicle to be operated thereunder, except, if the vehicle to be operated thereunder shall be a furniture van or piano moving wagon, the license fee shall be five dollars for each vehicle, said license to be signed by the mayor and city clerk and continue in force during the fiscal year in which issued.

(Amendment of May 25, 1914.)

§ 2. Every cartman, drayman or expressman shall cause his cart, dray or wagon to be numbered, such number to be furnished without cost by the city clerk upon payment of license fee, which number said cartman, drayman or expressman shall keep attached to each side of his cart, dray or express wagon during the term of said license.

§ 3. The common council shall from time to time designate a stand for carts, drays, hacks, express wagons or other vehicles. While waiting for employment, no cart, dray, hack, wagon, or other vehicle shall be permitted to wait for employment in any other public place other than as so designated.

§ 4. No person shall use any wagon or other vehicle loaded with or carrying any freight or material of the weight of four thousand pounds, including the wagon or other vehicle, or upward upon any paved or improved street within the city, unless the tires upon said wagon or other vehicle shall be at least four inches wide, and no person shall use on such street any wagon or other vehicle loaded with or carrying any freight or material of the weight of three thousand pounds, including the wagon or other vehicle, or other greater weight less than four thousand pounds, unless the tires upon said wagon or other vehicle shall be at least three inches wide. Any police officer or the commissioner of public works or his deputy, or any alderman, may require any person whom he shall suspect of violating this ordinance to weigh the load and vehicle at the public scales.

CHAPTER 6.

CEMETERIES.

Section 1. The cemetery known as the First Ward cemetery, located in the first ward of the city of Syracuse, shall be under the charge of a sexton and shall be subject to such rules and regulations as may be prescribed by ordinances of the city.

§ 2. The cemetery known as Rose Hill cemetery, located in the fourth ward of the city, shall be under the charge of a sexton, who shall reside in and have free use of the dwelling upon the cemetery ground. He shall keep the grounds in good

order and as often as necessary, mow the grass therein and remove the weeds therefrom. He shall enforce the ordinances and regulations concerning cemeteries and shall have power to arrest any person trespassing thereon in any manner. It shall also be his duty to direct how and where any dead body not belonging to the owner of any lot shall be buried, and to prevent the burial of any body in any unsold lot or any lot of another person without the owners' consent. He shall not be an undertaker. He shall wear a badge with the words "City Sexton" thereon. He shall prepare graves at rates prescribed by these ordinances.

§ 3. The cemetery known as the Lodi cemetery, located in the seventeenth ward of the city of Syracuse, shall be under the charge of a sexton and shall be subject to such rules and regulations as may be prescribed by ordinances of the city.

§ 4. The cemetery situate on farm lot number one hundred sixty-seven in that part of the late town of Geddes, annexed to the city of Syracuse by chapter 397 of the laws of 1886, and now a part of the tenth ward of said city, shall be under the care, control and management of five trustees, who shall be residents and freeholders of the ninth and tenth wards of the city of Syracuse, as provided by chapter 457 of the laws of 1890.

§ 5. All applications for lots in either of the cemeteries herein mentioned shall be made through the sexton in charge. The sextons shall keep in their possession cemetery maps on which lots sold shall be designated. They shall also keep in their possession a book containing a list of unsold lots, showing the number and valuation of each lot in each book. They shall insert in all certificates granted the name of the person to whom granted. These certificates shall specify the number of the lot and the valuation thereof. On issuing a certificate the sexton shall be entitled to fifty cents, to be paid by the applicant.

§ 6. If the holder of a certificate of a cemetery lot shall present such certificate to the city treasurer and pay over to him the amount of valuation therein specified within twenty days from the date of said certificate, such holder shall be entitled

to a deed of such lot. Such purchaser on making such payment shall take said treasurer's receipt therefor and immediately present the same to the city clerk, upon the receipt of which the clerk shall cause the entry of the sale to be made, and shall grant the deed of such lot to the purchaser, signed by the mayor and countersigned by himself, and affix thereto the seal of the city. If the certificate is not presented within the time specified, the said lot shall be forfeited and any body that may have been buried therein shall be removed into public ground at the expense of the person obtaining said certificate.

§ 7. The city treasurer shall keep an account of the cemetery fund in which all moneys received or paid on account of any of the cemeteries shall be entered. The city clerk and city treasurer shall report to the common council annually statements of the several accounts kept by them. The sextons shall each annually report the number of certificates granted by him during the year with the description of lots and the names of the persons to whom granted and the date of each certificate.

§ 8. The graves dug by sextons shall be of a depth of five feet and the rates of compensation for digging and filling up the same shall be as follows: For box graves for children under ten years, two dollars; for plain graves for children under ten years, one dollar and fifty cents; for box graves for persons over ten years, two dollars and twenty-five cents; for plain graves for persons over ten years, one dollar and seventy-five cents; for digging up a body and refilling grave, four dollars. In case of reburial of such body the regular fee for same shall be added to the above.

§ 9. No person shall leave any horse or vehicle standing in any avenue, street or path in any of said cemeteries, nor shall fasten or cause to be fastened any horse therein in any other place than at posts provided for that purpose, or shall leave any horse unfastened therein or in any manner injure or destroy any tree, shrub or plant or crush or gather or in any manner destroy any flower, either wild or cultivated, or any herbage or the fruit or product of any such tree, shrub or plant within any of the cemeteries aforesaid, or shall ride upon, soil, deface, remove, displace or in any manner injure or de-

stroy any monument, stake, post or other structure in or belonging to any of said cemeteries, or shall deposit or cause to be deposited any unclean or offensive substance therein or shall discharge any firearms in either of said cemeteries or any other place within the city with the intent that the contents thereof shall enter either of said cemeteries.

Children under the age of twelve years are hereby prohibited from entering or visiting any cemetery within the city limits unless accompanied by a parent or proper guardian. Children's carriages are strictly prohibited from entering such cemetery grounds unless permission first be obtained from the sexton thereof.

CHAPTER 7.

CITY FLAGS.

Section 1. The chief engineer of the fire department shall be the keeper of the city flags and flag staffs. He shall see that the several flags are kept in good order and shall not allow them to be used except as specified by these ordinances. He shall also see that each staff is properly painted and protected from decay and that suitable halyards are furnished for each staff.

§ 2. He shall cause each flag to be displayed upon all legal holidays, upon the day when the governor of the state or the president of the United States is inaugurated, also upon the day of inauguration of the city government, also whenever directed to do so by the mayor or common council.

§ 3. No person shall deface or injure any flag or flag-staff or halyard belonging to the city.

CHAPTER 8.

CITY SEAL.

Section 1. The seal hereafter to be used by the city of Syracuse shall be as herein described, to wit: In the center, a locomotive with train of cars and section of railroad bridge over

the canal; in the background a row of salt blocks, hills and the rising sun surmounted by the words "Central City;" in the foreground a solar salt field, canal, loaded canal boat with team of horses and their driver towing the same, beneath which are the words and figures, "City of Syracuse, 1848," which seal represented as aforesaid and hereunto annexed shall be and is hereby established and declared to be hereafter the common seal of the city of Syracuse.

CHAPTER 9.

DOCUMENTS AND RECORDS.

Section 1. No person shall remove any papers, documents, books, property or records of any kind belonging to the city from any city building except by order of the mayor or common council or pursuant to an order of the court.

§ 2. The city clerk shall keep a record of all real property and interest in real property acquired by the city and shall provide and keep for the purpose a suitable book which shall contain the entries relating to such property given with such additional data in any particular case as he may deem important.

For deeds of property—1. The name of the grantor. 2. The character of conveyance, whether quit claim, warranty or full covenant deed, etc. 3. The date of conveyance. 4. The consideration. 5. The description of premises. 6. All reservations and conditions contained in the conveyance and any other portion of such conveyance which affects the interest or estate conveyed. 7. The date when and the book and page where such deed is recorded in the office of the clerk of Onondaga county. 8. The date of acceptance of such conveyance by the common council of lands acquired under statutory proceedings or proceedings under the city charter. 9. In case of lands or any interest therein that have been or shall hereafter be acquired by proceedings taken under any statute, the said record shall contain a description of the premises and a full statement of such proceedings with a reference to the record thereof in the county clerk's office and all maps relat-

ing thereto. All lands dedicated to public use by the Syracuse land company or other parties. 10. In case of lands that have been dedicated to public use by the Syracuse land company, or that have been or may hereafter be so dedicated by any party where no actual conveyance has been made there shall be entered a description of such lands with date and manner of dedication with reference to all maps relating thereto. There shall also be entered any improvement or other act done by the city declaring or indicating an intent to extend such lands for public use.

§ 3. The city clerk shall be the custodian of all the deeds, conveyances, abstracts of title, and all other papers and documents relating to or affecting the title to any and all real estate owned by the city and shall permit no person or persons to remove any such from his office without the written consent of the corporation counsel, and shall have charge of a room in the city hall in which room shall be placed the records of the common council and of the various departments of the city, with the exception, that all maps filed in the city clerk's office shall, under his control, be turned over to the city engineer for custody, and the city engineer shall index, preserve and protect said maps, against loss or damage, in accordance with law.

(Amendment of June 28, 1915.)

CHAPTER 10.

FIRE ALARM TELEGRAPH.

Section 1. No person shall make or cause to be made, or use, or have in his possession, any key, impression or duplicate of any signal box of the fire alarm telegraph or any police patrol or signal box, without permission in writing of the commissioner of public safety.

§ 2. No person shall give or cause to be given a false alarm with intent to deceive, or pull the slide of any station or signal box except in case of fire in said city, or meddle or in any way interfere with such signal box or any part thereof, or break, injure, deface or remove any part of said box, or any part

thereof connected with said fire alarm telegraph, or make any connection or communication therewith so as to interrupt or interfere with the proper working of the same or with intent to injure, break or destroy any machinery or fixtures connected therewith.

§ 3. No person shall cause any telegraph, telephone, electric light or other wire to be erected so as to cross or pass along the line of the fire alarm telegraph, above the wire used by said fire alarm telegraph.

CHAPTER 11.

FIRE LIMITS.

Section 1. The entire territory included within the boundaries of the city of Syracuse shall constitute the fire limits of said city.

§ 2. No wooden or frame building shall be built or added to, if already built in part, or which shall be more than fifteen feet in height or the area more than two hundred square feet, within the following described boundaries: Beginning at the intersection of the foot of West Adams street and Onondaga creek, along West Adams and East Adams streets to Montgomery street, along Montgomery street to Cedar street, along Cedar street to South State street, along South State street to North State street along North State street to Laurel street, thence northwesterly along Laurel street to Townsend street, along Townsend street to Isabella street, thence southwesterly along Isabella street to North State street, thence southweste-
rly along North State street to Salt street, thence southerly along Salt street to Laurel street, thence southwesterly along Laurel street and its south line projected up Onondaga creek, thence southerly to West Genesee street, thence westerly along West Genesee street to North West street, thence southerly along North West street to Tracy street, thence southwesterly along Tracy street to a point opposite the center of Wyoming street, thence southerly to and along Wyoming street to Otisco street, thence easterly along Otisco street to South West street, thence northerly along South West street to West Jefferson

street to Onondaga creek, thence southerly along said creek to West Adams street, to the place of beginning.

§ 3. No wooden building or part of such building situated within the boundaries described in the foregoing second section, shall be raised, enlarged or removed from one place to another within the said boundaries, nor shall any such building be removed from without to any place within said boundaries. No wooden buildings within said boundaries which may hereafter be damaged to the extent of fifty per centum of the value thereof, shall be repaired or rebuilt, nor shall any building when the damage to the same shall be less than fifty per centum be so repaired as to be raised higher than the highest point left standing after such damage shall have occurred and then only by permission of the fire marshal. The amount of damages aforesaid shall be determined by the fire marshal.

§ 4. No depositories for ashes within the fire limits of the city shall be built except of brick or stone or other fireproof material.

§ 5. No owner, builder or other person shall build or add any erection to any building or part of a building within the boundaries described in the second section of this chapter contrary to or in any other manner than authorized by the foregoing provisions of this chapter, or shall remove or assist in removing any wooden buildings from one place to another within the said boundaries or from without said boundaries to any place within the same or repair or assist in repairing any damaged wooden building contrary to any of the foregoing provisions of this chapter.

§ 6. No wooden building or wooden structure of any description shall be built, nor shall any such building or structure be enlarged or raised within the fire limits of the city or without the boundaries described in the second section of this chapter without the permission of the fire marshal in writing.

§ 7. No wooden building or wooden structure of any description shall be moved from one place to another within the fire limits and without the boundaries described in the second

section of this chapter or from without to any point within said fire limits without the permission of the common council.

§ 8. No fence or bill advertising or sign board against or upon the line of any fence shall be erected within the city limits to a greater height than six and one-half feet from the ordinary surface of the ground without permission of the common council.

§ 9. All owners of a building or buildings used as a church, hotel, boarding house, factory, public hall, skating rink, tenement block or any building in which twenty-five or more persons occupying stories above the second story shall, if in the opinion of the fire marshal the same shall be deemed necessary, build, erect, prepare and furnish for such buildings, one or more fire escapes as may be deemed by the fire marshal necessary and sufficient therefor. Such fire escapes shall be provided on the outside of such building connected with each floor above the first, well fastened and secured and of sufficient strength, each of the fire escapes to have landings or balconies not less than six feet in length and three feet in width guarded by iron railings not less than three feet in height and embracing at least two windows at each story and connecting with the interior by easily accessible and unobstructed openings, and balconies or landings shall be connected by iron stairs not less than twenty-four inches wide, the steps not to be less than six inches tread, placed at not more than an angle of forty-five degrees slant and protected by a well secured hand rail on both sides with a twelve-inch wide drop ladder from the lower platform reaching to the ground. Any fire escape so constructed shall be sufficient. Any other plan or style of fire escape shall be sufficient if approved by the fire marshal, but if not so approved the fire marshal may notify the owner, proprietor or lessee of such building or any of them in writing that any other such plan or style of fire escape is not sufficient and may by an order in writing, served in like manner, require one or more fire escapes as he shall deem necessary and sufficient to be provided for such building at such location and of such plan and style as shall be specified in such written order.

CHAPTER 12.

PREVENTION OF FIRE.

Section 1. No pipe of any stove, furnace or boiler shall be put up unless it be conducted into chimney made of brick or stone, except by permission of the fire marshal and upon a certificate under his hand, that in his opinion the manner in which it is put up is equally as safe as if it were conducted into such chimney.

§ 2. No person shall make or keep a fire in any yard, woodhouse or other outhouse or building in this city unless in some proper receptacle for fire communicating with a chimney.

§ 3. No hay, straw, or other combustible substances or materials shall be deposited within fifteen feet of any place where fire ashes are kept unless such place be a closed and secure building and no person shall be permitted to maintain a wood yard or kindling wood manufactory in which the sawing is done by steam power within twenty-five feet of any wooden building or buildings.

§ 4. No lighted candle or uninclosed lamp or light of any kind shall be used in any shop, stable or other place or building where chips, shavings, hay, straw or other combustible material may be kept.

§ 5. Every carpenter, joiner, cooper or other mechanic or person keeping a shop or other building wherein chips, shavings or other combustible matter may be contained, shall at least once a week, or oftener if so directed by the fire marshal, clean and remove the same from such shop or building and from any yard belonging thereto and cause the same to be securely stored in some safe place remote from danger by fire.

§ 6. No carpenter, joiner, cartman or other person shall, in removing any chips, shavings or other combustible matter from any shop, building or yard, scatter or throw them in any street or lane or at anytime direct, permit or suffer any of them to be thrown or scattered in any street or lane.

§ 7. No person shall allow any article, material or substance to be stored, placed or kept within the city limits which

shall be deemed by the fire marshal to be dangerous to person or property on account of its liability to fire or explosion; said fire marshal shall, in writing, notify the person or persons or any of them having the possession or control thereof, to forthwith remove the same to some place without the city as he, said fire marshal, shall designate. If such person or persons who shall have placed or shall have the control of such article, material or substance, shall be unknown or cannot be found upon the premises where the same is stored or kept or shall fail forthwith to remove the same after receiving such notice, it shall be the lawful duty of the fire marshal or any person authorized by him, to enter at any time, into any dwelling house, store, stable or other building or enclosure, boat or vessel or other place or places whatsoever, where the same may be and remove the same to such place or places as he, said fire marshal, may designate. The said fire marshal shall give such orders and directions touching the lying and fastening of any vessel whatever, having on board any gunpowder or other combustible materials which are dangerous in causing or promoting fires, as he may think conducive to safety or shall direct such gunpowder or other combustible matter to be removed to a place of safety and if any such order is not forthwith complied with, he may remove the same to such place as he may designate.

§ 8. Every store or other building exceeding two stories in height, wherein any mercantile or manufacturing business is carried on, within the limits of the city, shall have a scuttle on the roof and a convenient and suitable stairway or ladder leading to the same, so as to afford a convenient access to the roof of such building in case of fire.

§ 9. No person shall, without permission of the mayor, kindle any fire or furnish materials for any fire, nor in any way authorize or allow any fire to be made or in any manner aid or assist in making any fire, in any street, square, lane or alley, or on any wharf or dock or on any vacant lot in this city.

§ 10. It shall be the duty of the fire marshal to inspect all new buildings in progress of erection and all buildings now in

use or undergoing material alterations within the fire limits of the city and in case any building shall be deemed dangerous on account of liability to accidents from fire, by reason of any carelessness or improper construction or proposed construction of any chimney, flue, wall partition, aperture for stove pipes, the location of any boiler, furnace, range or stove, or other cause, the said fire marshal shall have power, and it shall be his duty to cause such building or objectionable and dangerous parts thereof to be removed or so constructed as to be free from such danger and to conform to the provisions of this chapter.

§ 11. It shall be the duty of the chief of police to require the patrolmen of each police district to report to him every instance of the commencement of the construction of a new building, or of a material alteration of an old building and when such report shall be received, the said chief of police shall immediately communicate the same to the fire marshal.

§ 12. No person shall be allowed to burn out any chimney within the fire limits, except by permission of the fire marshal in writing.

§ 13. The fire marshal shall have the right and power to enter any dwelling, store, lumber yard, stable, manufacturing establishment or any building within the limits of the city for the purpose of examining its condition relative to liability to accident from fire and to ascertain whether proper precautions are taken and observed and maintained against accidents from fire and it shall be his duty to make such examinations of all business premises within the city at least once every three months and oftener if, in his judgment, it is necessary, and at any time at the request of the mayor, the chief engineer of the fire department or the secretary of the board of underwriters.

§ 14. Every person or corporation owning or using a locomotive or engine within the city limits shall provide the same with the most approved device for arresting sparks which may otherwise escape from such locomotive or engine, and every stationary engine used in said city limits shall be kept in an apartment, the walls of which shall be of iron, stone or

brick, and the floor of which shall be of the same material for the distance of ten feet in all directions from said engine.

§ 15. No chimney shall hereafter be constructed within the city limits of tile or any other material than stone or brick, well laid in mortar, nor shall any chimney be built upon a wooden foundation unless the bottom of said chimney shall be one foot thick of brick well laid in lime mortar.

§ 16. Every chimney of brick or stone, which may hereafter be erected in or adjacent to any building, shall be plastered on the inside, the aperture or top thereof shall be at least three feet above the highest part of the roof from which it issues, and the walls thereof shall be at least four inches in thickness, well laid in lime mortar.

§ 17. It shall be the duty of the fire marshal and the chief engineer of the fire department to inspect all buildings, structures, walls or parts of walls which have been damaged by fire immediately after such fire, and in case any such building, structure, wall or parts of wall shall be deemed by them or either of them dangerous, they or either of them shall immediately cause such dangerous building, structure, wall or parts of walls to be removed or torn down so as to be free from such danger and to conform to the provision of this chapter, and it shall be lawful for such chief engineer of the fire department to adopt such measures and means as he may deem expedient and necessary for public safety to remove, tear down, destroy or otherwise dispose of such dangerous buildings, structures, wall or parts of walls; the expense thereof shall be borne by the owner.

CHAPTER 13.

GARBAGE, ASHES AND RUBBISH.

Section 1. The commissioner of public works, with the approval of the board of estimate and apportionment, shall have power to take such measures as he shall deem effectual for the removing of garbage, ashes and rubbish from the city or any portion thereof.

§ 2. For the purpose of these ordinances the term "garbage" is hereby declared to mean every accumulation of both animal and vegetable matter, liquid or otherwise, which accumulates in the preparation of food, and all sorts of meats, fish, fowls or vegetables which are stored or dealt in and are subject to decay. The term rubbish is declared to mean papers, rags, empty cans, bottles and similar refuse and waste, but does not include grass, leaves, cuttings and shrubbery, or trees, pieces of wood, boxes, barrels, packages, packing or similar materials.

(Amendment of April 27, 1914.)

§ 3. Every householder living in any tenement or dwelling house in the city, and the keeper of any hotel, restaurant, eating house, boarding house, or other place where meals are furnished in said city shall cause his or her garbage to be placed in water tight covered metal cans, which shall not weigh more than one hundred pounds when filled and place the same in some part of his or her premises convenient for removal, or in some place designated by the commissioner of public works, at such time as the same shall be called for; provided, however, that any person may be excepted from the requirements of this section upon obtaining a permit to that effect from said commissioner of public works. Garbage after having been put in cans for removal shall not be allowed to get wet or freeze.

§ 4. Every householder living in any tenement or dwelling house in the city, and the owner or occupant of any store, office or factory building in the said city, shall cause his or her ashes to be placed in fireproof receptacles which shall be filled not higher than within four inches of the top and which, when filled, shall weigh not more than one hundred pounds and place the same in some convenient place for removal, or in some place designated by the commissioner of public works at such time as the same may be called for; provided, however, that any person may be excepted from the requirements of this section upon obtaining a permit to that effect from the commissioner of public works. Ashes after having been put in receptacles for removal, shall not be allowed to get wet or freeze.

§ 5. No person shall place in any vessel used for the deposit of garbage, or mix or mingle with such garbage, any ashes or other matter not designated as garbage by section two of this ordinance.

§ 6. No person shall place in any vessel used for the deposit of ashes any rubbish or other substance, but rubbish shall be deposited in a separate vessel. All rubbish in the form of paper, rags and similar materials shall be tied in bundles. Not more than four barrels of rubbish will be removed from any one place in any one week. Vessels containing rubbish shall be deposited in some place convenient for removal or in some place designated by the commissioner of public works; provided, however, that any person may be excepted from the requirements of this section upon obtaining a permit to that effect from the commissioner of public works.

§ 7. In case of complaint or dispute arising as to the place where vessels containing garbage, ashes or rubbish awaiting removal shall be put, the commissioner of public works or some subordinate in his office designated by him for such purpose shall forthwith designate the place or places where such vessels shall be set aside while awaiting such removal, and such decision shall be final.

§ 8. No person shall engage in the business of collecting and transporting garbage without first having obtained a permit from the common council authorizing such person to engage in the said business in conformity with the provisions of this chapter.

(Amendment of April 27, 1914.)

§ 9. All garbage being removed shall be carried through said city in water tight covered wagons or carts, or in water tight covered vessels placed in wagons or carts, and shall be so loaded and transported that no part thereof shall fall, spill or leak from such vessel; and every such wagon or cart used for the purpose aforesaid shall be kept clean and well painted and shall be marked with the words "Department of Public Works," with the number of the cart or wagon, when such cart or wagons are in use, and no cart or vehicle shall be used for the purposes aforesaid unless the same shall have first been

inspected and approved by the commissioner of public works or some subordinate from his office appointed by him for such purpose.

§ 10. No person engaged in collecting garbage or ashes will do anything in connection therewith that shall be needlessly offensive to any person.

§ 11. All garbage removal shall be disposed of in such manner as not to create a nuisance and the covers of all carts, wagons or vessels used for the purpose of removing such garbage shall be kept tightly closed while they are being transported through the streets of the city.

CHAPTER 14.

FIREARMS AND EXPLOSIVES.

Section 1. No person except when on military duty or in case of public celebration with permission of the mayor or common council, shall have, keep or possess in any building, or carriage, or on any dock or in any boat or other vessel or in any other place within the city limits, gun powder, giant powder, nitro-glycerine, dynamite or other explosive material, in quantity exceeding one pound, without written permission from the commissioner of public safety.

§ 2. No person shall keep or store any quantity of gun powder exceeding six pounds in weight (except as provided for in section three of this chapter) in any building or place within the limits of the city, which said quantity of six pounds hereinbefore mentioned shall be separated in stone jars or canisters, each of which shall contain not to exceed one pound of powder.

§ 3. It shall be lawful for any merchant or person having a store or fixed place of business upon written permission being granted him for that purpose by the commissioner of public safety to keep for sale at his store or place of business any quantity not exceeding one hundred pounds of gun powder, upon condition that the same be kept in kegs or in cans or other safe vessels, which, except during business hours, shall

be deposited in an iron or wooden box lined or covered with iron or other metal and marked "powder" in plain letters, the form and construction of said box to be approved by the commissioner of public safety, said box with all said powder securely enclosed therein except during business hours as aforesaid, shall be placed on the sidewalk near the curbstone, in front of the store or building of the person holding such permit and where it may be conveniently removed in case of fire. No gun powder shall be sold or exposed for sale except during daylight.

§ 4. No person shall convey or carry through any street, lane or alley of the city, any gun powder exceeding six pounds in quantity unless the same is secured in kegs or canisters containing not to exceed twenty-five pounds each and sufficiently tightly enclosed to prevent any powder escaping therefrom. Said kegs or canisters shall be placed in quantities not to exceed three hundred pounds, in wood or iron boxes, lined or so constructed that no particle of powder can escape therefrom. And said boxes shall be securely covered with canvas or iron so as to prevent the possibility of fire communicating with the powder.

§ 5. No vessel or car laden in whole or part with gun powder or other explosive shall enter any canal or upon any railroad within the limits of the city without the written permission of the commissioner of public safety, which permission when granted shall designate the place where said vessel or boat shall anchor or car shall be stationed and shall prescribe the time within which said powder shall be transferred or unloaded from said vessel, boat or car and the manner of transferring or unloading the same.

§ 6. The commissioner of public safety may from time to time designate certain places outside of the thickly settled portions of the city where gun powder and other explosives may be transferred from one car or boat to another, or may be unloaded from cars or boats, and may also prescribe and determine certain portions of the city within which cars loaded with gun powder and other explosives may be brought.

§ 7. No person shall directly or indirectly leave, keep, store or bring within the limits of the city any gun powder or other

explosives (except as provided in the preceding sections of this chapter) without permission in writing from the commissioner of public safety, who shall limit the quantity of explosive articles aforesaid so to be kept and stored with reference exclusively to the accommodation of the local trade of the city and safety of the public.

§ 8. No person shall discharge any cannon, gun, fowling piece, pistol, revolver or firearms of any description or explode or set off any fire-cracker or other combustible material within the city limits without permission from the common council or written permission from the mayor.

§ 9. No person shall without permission from the common council or written permission from the mayor, discharge any blast of gun powder or other explosive material in the streets or elsewhere within the boundary of the city or direct such discharge or be accessory thereto.

CHAPTER 15.

PUBLIC HACKS.

ARTICLE 1.

Section 1. This ordinance shall be known as the public hack ordinance and shall apply to vehicles as enumerated in this article.

§ 2. A public hack is a horse drawn vehicle applying for hire and which solicits patronage upon the streets and highways of this city.

§ 3. A coach is a vehicle designed to carry seven or more persons from a fixed locality to points in or out of the city.

§ 4. A taxicab or cab is a vehicle driven by mechanical power applying for hire and which solicits patronage upon the streets and highways of this city.

(Amendment of Dec. 29, 1913.)

This ordinance shall not apply to or govern any vehicle hired or obtained from a livery stable or garage and which does not solicit patronage upon the streets.

ARTICLE 2.

Section 1. The licensing of public hacks, coaches and taxicabs in this ordinance and the enforcement of the provisions of this ordinance shall be under the control of the commissioner of public safety of this city.

ARTICLE 3.

Section 1. No public hack, coach or taxicab shall apply for hire upon the streets of the city of Syracuse without first obtaining a license from the commissioner of public safety.

§ 2. Such license shall be issued as of January first and shall expire on the thirty-first day of December next succeeding of each and every year unless sooner suspended or revoked by the commissioner of public safety.

§ 3. Application for licenses for public hacks, coaches and taxicabs shall be made by the owner to the commissioner of public safety, and such application shall contain the full name and address of the owner, the class of coach or vehicle for which the license is desired and the public stand the owner desires to occupy.

§ 4. The annual license fee shall be as below enumerated:
For each hack or taxicab, one dollar.

For each hack or taxicab occupying a special stand, two dollars.

For each coach, ten dollars.

(Amendment of Dec. 29, 1913.)

§ 5. The commissioner of public safety shall keep a register of the name of each person owning or operating a vehicle licensed under this ordinance, together with the license number of the same.

§ 6. Any owner or driver of a vehicle not licensed in accordance with the provisions of this ordinance, or of a vehicle the license of which has been suspended or revoked and who engages in the business of a public hackman as defined hereby, or attempts to engage in such business, or solicits for hire passengers or business upon the public streets or highways of the city of Syracuse, New York, shall, upon conviction thereof, be

punishable by a fine of not over fifty dollars or by imprisonment not exceeding thirty days, or both, and revocation of the license for one year.

ARTICLE 4.

Section 1. For the purpose of regulating the use of the public streets and squares, and for the purpose of fixing responsibility for the service rendered to the public by the operation of licensed hacks, coaches and taxicabs, and for the purpose of carrying out the provisions of this chapter, the commissioner of public safety is authorized and directed to locate and designate such places as public hack stands as he shall deem best, and in issuing licenses for public hacks, coaches and taxicabs, as provided in this chapter, each license shall specify the public stand from which the licensee may solicit passengers and business on the public streets and at which the licensed hack, coach or taxicab shall stand while waiting for employment, and no solicitation or waiting for employment shall be at any other stand or place in the public streets.

(Amendment of May 25, 1914.)

CHAPTER 16.

EXHIBITIONS AND THEATRICALS.

Section 1. The following named persons or classes of persons, firms or corporations, are hereby required to be licensed; every person, firm or corporation exhibiting any theatrical or opera performance, concert, circus feats of horsemanship, acrobatic performance, picture shows, amusement parlor, or other exhibition of common showmen, including any natural or artificial curiosity, feats of legerdemain or necromancy, or opening or maintaining any hall or rink for dancing, skating or other amusement for the public; the amount of the fee for such license shall be fixed by the common council at such an amount as they deem proper, not exceeding the sum of one hundred and fifty dollars (\$150.00), for a single exhibition or a single opening of a hall or rink, and such license shall be signed by the city clerk, countersigned by the mayor, and

shall be issued by the city clerk upon the payment to him of the fee prescribed by the common council. The license shall specify the object and length of time for which it has been granted. It shall be the duty of the person or corporation so licensed to keep good order in and about his place of exhibition or amusement, and for that purpose to keep, at his own expense, a sufficient police force. No license shall be required, however, for a dancing party or ball given for purposes of charity, nor for musical parties, concerts, theatrical performances or exhibitions of painting or statuary given or made by citizens of the city who shall not make such exhibition, musical parties, concerts or theatrical representations for a business or profession, except by ordinance of the common council. It shall be the duty of the person, firm or corporation giving any exhibition hereinbefore described in any hall, theater or assembly room, to provide necessary exits therefrom, keep such exits unlocked during performance and the passageways and stairs from such exits to the streets adequately lighted.

(Amendment of May 25, 1914.)

§ 2. Any person, firm or corporation, exhibiting a circus or similar show within the limits of the city and paying a license fee therefor, as provided in this chapter, shall not be required to pay a fee for any permit for any parade upon the streets of the city incidental to such circus or similar show, but in case such circus or similar show is not exhibited within the limits of the city and no license fee paid therefor, then the person, firm or corporation obtaining such permit for a parade upon the streets of the city shall pay, upon obtaining same a fee therefor, the amount of which shall be fixed by the common council and such permit shall be signed and issued by the city clerk and signed by the mayor.

§ 3. No person shall within the city appear in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or shall make an indecent exposure of his or her person, or shall sell or offer for sale any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent or immoral play or other representation, or shall

exhibit or cause or permit to be exhibited on any billboard, window, or in any public place in the city, any lewd, immoral or obscene picture, or illustrated paper containing an immoral picture or printed matter.

§ 4. No undertaker or other person shall exhibit any coffin, shroud or other habiliment of the grave upon any sidewalk, in any show window, or other place where the same may be observed by anyone passing upon any street or sidewalk of the city.

§ 5. No undertaker or other person or persons shall exhibit in any public place or in any building where the same shall be visible from any street, square or alley, the remains of any person who has died by accident or otherwise.

CHAPTER 17.

DISORDERLY HOUSES.

Section 1. No person shall keep or maintain or be an inmate of or in any way connected with or in any way contribute to the support of any disorderly house or house of ill fame or knowingly own or be interested as proprietor or landlord of any such house.

§ 2. No person shall keep or be an inmate of a gaming house or room, or visit such gaming house or room. No person shall have or keep or permit to be used in any building or place in the city occupied or controlled by such person any keno table or roulette table, faro bank, shuffle board, bagatelle, playing cards or any instrument or device or thing used for gambling whereon or with which money, liquor or other articles shall in any manner be played for. No owner or keeper of or any person within such gaming house or room shall refuse to permit the mayor, police justice, chief of police or any policeman to enter the same, or shall obstruct or resist any of the aforesaid officers or persons summoned by them to assist in entering such place, or in the destruction of any such instruments or devices employed in gambling in such places.

CHAPTER 18.

PUBLIC MARKETS.

Section 1. The provisions of this chapter shall constitute and be known as the "market ordinance" of the City of Syracuse.

§ 2. *Description of Market Sites.*—The piece of ground in the sixth ward bounded by East Laurel street, North Salina street, East Belden avenue and Pearl street shall be known as the "North Side Market." The piece of ground in the fourteenth ward bounded by West Taylor street, South Clinton street, lands of Elizabeth Yoa, old channel of Onondaga creek and Oneida street shall be known as the "South Side Market." These pieces of ground are hereby designated as public markets and as the stands for the sale of farm products. The city engineer shall make a map of each of said markets dividing the same into designated sub-divisions for the sale of farm products. Copies of said maps shall be posted in said markets and furnished on demand to lessees, farmers, gardeners, hucksters and all others interested by the custodians of said markets respectively.

§ 3. *Custodians of Markets.*—It shall be the duty of the custodian of each of said markets to have general management and control of the public market of which he has been appointed custodian and he shall devote his entire time and attention to the discharge of the duties of his office. Said custodians shall be appointed by the commissioner of public works, and they shall see that the markets of which they have charge, respectively, are at all times kept in clean and wholesome condition, maintaining order therein, and shall employ to assist them in the discharge of their duties such employes as shall be designated by the board of estimate and apportionment, and such other assistants as shall be furnished them by the commissioner of public works. It shall be the further duty of said custodians to make and enforce proper and sufficient rules and regulations upon their respective public markets, the same to be approved by the commissioner of public works and the common council. Each of the said custodians shall submit to the commissioner of public works each day an

itemized return of all receipts, together with the number of loads of hay, lime or other articles weighed, and shall deposit daily with the city treasurer all moneys received by him or his assistants.

§ 4. *Market Days and Hours.*—Said markets shall be open for the transaction of business from 4 a. m. to 3 p. m. every week day from the first day of June to the first day of November each year, and from 6 A. M. to 2 P. M. from the first day of November to the first day of June following, and when required during the holidays weeks such as Thanksgiving, Christmas and New Year's weeks from 6 A. M. to 5 P. M. daily.

No person shall be permitted to sell or keep any product on the market after the hours hereinbefore designated, except such farmers as shall have hay, straw or stalks which remains unsold or not disposed of after the hours hereinbefore designated.

Farmers may enter the markets not more than one hour previous to the time set for the opening of said markets, but no sale shall be made or business done until the hour named for opening.

§ 5. *Good Order.*—Idlers and dogs shall not be permitted to remain on said markets. No person shall be guilty of any boisterous or disorderly conduct upon the said markets and no person shall resist or obstruct the custodian thereof or any officer of the market in the discharge of his duties, nor refuse to allow the custodian to examine the character and quality of any article of food offered for sale or to weigh or measure the same.

§ 6. *Re-selling.*—No person shall be allowed to buy and re-sell on either public market.

§ 7. *Sale of Hay.*—The North Side public market and the South Side public market are hereby designated as the stands for the sale of hay, straw and like products and loads of hay, straw and like products shall not stand in or upon any other public square or alley exposed for sale. Upon the entry of every load of hay, straw or like product upon the above mentioned markets the owner or agent in charge shall pay to the

custodian of the market, or his assistants, for each load of hay, straw or grain 25 cents, and for each load of stalks 10 cents, for which the custodian shall give the owner or agent of the load a check or receipt which shall be recognized at the other market the same as if it had been paid at such other market. Every load of hay, straw, grain or stalks having paid its entry fee shall be entitled to full and like weight without charge for either. The scales erected on the markets shall be the scales for weighing hay, straw, lime or other things within the city. For every such load weighed there shall be paid to the custodian of the South Side market or to the custodian of the North Side market or to the weigher of hay the sum of ten cents except where the entrance fee has already been paid.

§ 8. Duties of Weigher of Hay and Custodian of South Side Market.—The said weigher of hay of the North Side market and the custodian of the South Side market between the hours of 9 A. M. and 6 P. M. shall attend at their respective offices at their respective markets daily and when required they or their subordinates shall weigh hay, lime or other articles for any person who shall present the same for this purpose, and when required they shall attend and weigh in the platform scales. They shall weigh the articles offered and the vehicles on which they are loaded together and after weighing the same give to the person who offered them for weighing the weigh note subscribed by the weigher of hay of the North Side market or the custodian of the South Side market as the case may be setting forth the gross weight of both load and vehicle and without separately noticing the tare weight of the vehicle and shall affix the date of the weighing and the name of the owner of the article weighed.

§ 9. Re-weighing.—The said weigher of hay of the North Side market and the custodian of the South Side market, after having weighed any load, shall, without additional charge, at the request of the seller or purchaser of the load made on the same day such load was weighed, re-weigh the vehicle so as to ascertain the true net weight of hay or other article and shall insert in any weigh note given under the statement of "gross weight" or the words "tare weight" with the weight

of the vehicle opposite thereto in figures and deducting the tare from the gross weight, shall sign his name to the statement so made by him. When the load is of quick lime, he shall certify the number of bushels and parts thereof in it at the rate of seventy (70) pounds to the bushel, and for water lime at the rate of sixty (60) pounds to the bushel.

§ 10. *Tare Weight.*—No owner or seller of hay, lime or other article shall neglect or refuse to have the tare ascertained as aforesaid upon the request of the purchaser made the same day.

§ 11. *Weighing Vehicles.*—When any person shall apply to the weigher of hay of the North Side market or to the custodian of the South Side market to weigh his wagons, cart, sled or other vehicle, he shall weigh the same and enter the weight thereof in a book and shall mark, if requested, on some conspicuous part of said wagon, sled or other vehicle, the weight of the same, such person paying therefor the sum of 5 cents in addition to the fee for weighing the contents of the vehicle.

§ 11½. The weigher of hay shall when directed by the custodian of the North Side market attend at the platform scales and weigh all articles presented under the direction of the custodian of said market.

§ 12. *Improper Substances.*—No person shall sell or offer to sell, or shall request to have weighed, any hay, lime or other article in which any improper substance has been placed, or where any improper device shall have been used to increase the weight thereof, or shall knowingly make or alter any weigh note or indorsement, or shall with intent to defraud, alter or pass any true weigh note as the weigh note of any hay, lime, merchandise, or other article for which the same weigh note was not given.

§ 13. *Storing.*—All persons are prohibited from storing hay or building a hay rack within the city fire limits, as affixed by these ordinances, without permission in writing from the commissioner of public safety.

§ 14. *Wood.*—Any person exposing wood for sale within the city limits by the cart, wagon or sleigh load, or in trucks

propelled by motive power, shall offer the same upon the public markets, but upon no other public square, street, alley or place within the city.

§ 15. *Exposing for Sale Meats, etc.*—No person shall expose for sale or offer for sale any meats or poultry, or grain of any kind from any wagon, sleigh or other vehicle within the limits of the city except upon the public market.

§ 15-a. *Rules and Regulations of the Public Markets:*

1. All hucksters and buyers with wagons on the North Side market shall occupy the space east of the railroad tracks on Pearl street from Salina street to East Belden avenue, each wagon coming hub to hub.

2. Farmers and gardeners on the North Side market selling to hucksters shall back up west of railroad tracks on Pearl street from Salina street to East Belden avenue, each wagon coming hub to hub.

3. Retail dealers, farmers, butchers and gardeners on the North Side market shall fill space back of the market building on Pearl street, each wagon coming hub to hub.

4. Speculators and non-producers are not permitted to sell on either of said markets.

5. All butter, poultry and other produce retailed by weight must be weighed on the city scales located in market where sold, and the empty jars shall be weighed and marked free of charge.

6. The walks in rear of the North Side market shall at all times be kept clear. No bicycle, wheelbarrow, boxes, barrels, crates or any other obstruction will be permitted.

7. Earthen jars in which butter is packed and sold on said markets must be weighed and stamped by the custodian of the market where sold.

8. No buyer or middleman shall take any produce from a market unless it is actually sold.

9. Buyers or middlemen purchasing for storekeepers or other persons must report to the custodian of the market where purchased the name of the party for whom purchased, the amount of each purchase and the actual price paid for the commodity. The Custodian shall then issue a certificate set-

ting forth the facts, together with the name of the buyer and seller thereof, both of whom shall be guilty of a misdemeanor for mis-statements.

§ 16. *Fish.*—No person shall offer for sale any fresh fish from any wagon, sleigh or other vehicle at any place in the city limits.

§ 17. *Peddling.*—No person shall sell at retail upon any street, square or public place, or hawk, peddle or vend within the city limits, any goods, wares, merchandise of any description without first having obtained a license from the city clerk, to be signed by the mayor and city clerk, and having paid the fee therefor as provided for by the common council. All licenses thus issued shall expire not later than the end of the fiscal year in which issued.

§ 18. *Weighing.*—No person other than the custodian of a public market or the weigher of hay shall weigh for hire upon any city market or any other place within the city where the public weigher is required by this ordinance to perform such duties.

§ 19. *Officers.*—The chief of police of the city of Syracuse shall designate a sufficient number of officers to be in attendance daily at the public markets during the hours hereinbefore designated for the purpose of maintaining order and for the purpose of carrying out all of the regulations of these ordinances and such rules and regulations as may from time to time be established.

§ 20. *Cold Storage Goods.*—No person shall be permitted to sell or offer for sale upon the public markets any cold storage eggs, poultry or meats of any kind, or any other farm products, unless the same shall be pure and wholesome.

§ 21. *Garbage.*—No person shall kill or slaughter within the limits of a public market, or lay, or throw, or deposit any dirt, dung, garbage, or offal therein.

§ 22. *Dressed Poultry.*—Dressed poultry of all kinds offered for sale on a public market must be full drawn, crops and entrails out and heads off.

§ 23. *Badges.*—The commissioner of public works shall provide a sufficient number of badges or caps to be worn by each employe on the public markets.

§ 24. *Officers.*—No officer or employe of the market department, or any city officer, shall be interested directly or indirectly in the sale or transfer of any lease or privilege or have any connection with any market building or buildings or in or about the public market grounds. Any person above described who shall violate the provisions of this section shall forfeit the office or position held by him.

§ 25. *Violations.*—Any person violating any of the market ordinances will be liable to arrest, and on conviction fined not less than five dollars or more than thirty-five dollars for each offense.

§ 26. All ordinances conflicting herewith are hereby repealed.

(Amendment of August 24, 1914.)

CHAPTER 19.

MILK.

Section 1. It shall not be lawful for any person to peddle milk or cream or deliver the same from any cart, wagon or vehicle whatever to the inhabitants of the city or to any firm, co-partnership or corporation, or in or upon any of the public streets, squares or alleys of said city, without having been first duly licensed to do the same by the mayor of said city as hereinafter provided. Such license may be granted and issued by the mayor of said city to any person applying therefor upon the production of evidence satisfactory to the mayor that such applicant is able to and will furnish good, pure and wholesome milk or cream to the inhabitants of said city and to such firm, co-partnership or corporation, and upon the payment of the sum of five dollars license fee for each and every wagon, cart or vehicle used by the said applicant in the said business.

§ 2. The mayor is hereby empowered, when it shall appear to him after a hearing, that any person to whom such license

has been granted has sold or delivered or caused or permitted any person for him to sell or deliver to any inhabitant or firm, co-partnership or corporation of said city any adulterated or unwholesome milk or cream or has in any manner violated any of the provisions of this ordinance, to revoke any license by him so granted.

(As amended June 10, 1907.)

§ 3. Every such peddler or vender of milk shall cause his wagon or vehicle to be numbered, such number to be designated by the city clerk and (together with the name and place of residence of such peddler) filed with the city clerk, and thereupon the city clerk shall furnish to such peddler without further charge duplicate numbers which such peddler shall fasten upon his wagon or vehicle so licensed and used by said licensee in the peddling or distributing of milk in said city, one on each side thereof, so that they may be plainly seen, and shall there retain them during the life of such license; such license shall be signed by the mayor and city clerk and shall expire at the end of the fiscal year in which it is granted.

CHAPTER 20.

NUISANCES.

Section 1. No person shall suffer or permit any cellar, vault, private drain, sewer or grounds upon any premises belonging to or occupied by him to become foul, offensive or injurious to the public health.

§ 2. No distiller, brewer, tanner, soap boiler, tallow chandler, livery stable keeper or other person shall permit the discharge or overflow from any premises occupied by him of any foul or nauseous liquor or substance of any kind whatever into or upon any alley, street or sidewalk in the city.

§ 3. No person shall throw, place or deposit or permit any person in his or her employ to throw, place or deposit any dirt, dead animal, carrion, putrid meat or fish, entrails, shells of clams or oysters, decayed or decaying vegetables or foul substances of any kind in or upon any sidewalk, street, alley, lane or park in the city or shall cause or permit any such

material or substance to be or remain in or upon any lot owned, used or occupied by him or her, whether so thrown, placed or deposited by him or her or not.

§ 4. No person shall permit water, slops of any kind or foul liquid to run from his or her lot in his or her possession onto any other lot or into any street.

§ 5. No person shall permit slops, water or other liquid matter to stand or remain upon any lot owned or occupied by him or her or upon any lot of which he or she has control as tenant or agent or otherwise, until the same becomes offensive or stagnant.

§ 6. Whenever the owner, occupant or the agent of the occupant of any premises in or upon which any nuisance may be found are unknown or cannot be found the health officer shall proceed to abate such nuisance, and the expense of such abatement may be collected by suit against the owner, agent or occupant in the name of the city or the same may become assessed and become a lien upon the property, as in the case of the assessment of sewers, in which case it shall be the duty of the health officer to report to the common council the whole amount of the expenses of attending the abatement with as full a description of the premises as may be, with the name of the owner, agent or occupant when known, whereupon the common council shall by ordinance direct the assessors to assess the same upon the premises. Such other proceedings shall then be had as in the case of sewer assessments.

§ 7. No person shall throw, cast or deposit or cause to be thrown, cast or deposited into or upon the margin of any canal, creek or other public waters within the city limits any animal or vegetable substance or foul substance of any kind whatever

§ 8. Whenever upon due examination it shall appear to the health officer that the number of persons occupying any tenement or building within the city is so great as to be, in the opinion of said health officer, a cause or source of bad health or of sickness, said officer may issue a warrant commanding the owner or owners of such tenement or building to remove

such number of his or her tenants from such tenement or building as may be required by said officer within such time as said officer shall name.

§ 9. No person shall hereafter be allowed to clean or remove the contents of any vault, cesspool or drain or to transport or carry the contents thereof through the streets of the city without first having obtained a permit from the health officer.

§ 10. No person shall carry or transport or cause to be carried or transported through, upon or across or along any street, alley or other public place of the city, any manure unless the same be completely and tightly covered with a wooden or canvas covering in such manner as to prevent the same from being exposed to view or dropping upon said street, alley or public place.

(As amended April 22, 1902.)

CHAPTER 21.

PUBLIC PEACE.

Section 1. No person shall make or assist in making any improper noise or any disturbance or commit any breach of peace in the streets of the city or elsewhere in the city and no persons shall collect in bodies or crowds in the streets or on the sidewalks for any unlawful purpose, or for any purpose to the annoyance or disturbance of citizens.

§ 2. No person shall disturb any congregation or assembly of people met for religious worship by making a noise or by rude or indecent behavior or profane discourse within a place of worship or so near the same as to disturb the order and solemnity of the meeting.

§ 3. No person shall use any scandalous or lewd language to any other person or of or concerning any person in the hearing of others, or shall make any immodest, lewd or otherwise indecent sign or commit any other immodest, lewd or indecent act in the presence of any other person.

§ 4. No person shall conduct himself in a boisterous, rude, insulting or otherwise disorderly manner, by either words or acts, toward any other person with the intent to abuse or annoy such person, or so as to annoy the citizens of the city or any portion thereof and disturb the good order and quiet of the same.

§ 5. No person shall immoderately ride or drive any horse or other animal, whether attached to a public or private ambulance, or other vehicle, in any avenue, street, lane or alley in the city.

§ 6. No person shall solicit alms in the city for any purpose whatever without permission of the mayor.

§ 7. No person shall carry about his or her person any dirk, bowie knife, sword or spear, cane, pistol, revolver, jimmy, slung shot, brass knuckles, razor, or any weapon, instrument or thing likely to produce grievous bodily harm. No person shall have or carry in or upon the public streets and public places of the city any deadly or dangerous weapon, instrument or thing with intent to do bodily harm therewith to any person.

(As amended June 10, 1907.)

§ 8. No person shall ring any gong or bell or cry any auction in any street, lane or alley or upon any sidewalk, or upon any piazza, step or platform immediately adjoining any sidewalk, lane or alley in the city; no tenant or occupant of any dwelling shall suffer any gong or bell to be rung as a call or signal upon any street, lane, alley or sidewalk, or upon any piazza, steps or platform immediately adjoining any sidewalk in said city.

§ 9. No person shall play ball, beat, knock or drive any ball or fly any kite in any public street or square in said city, or coast or slide down any sidewalk or street upon any sled, sleigh or board without permission of the common council.

§ 10. No person shall leave his wife and children a burden on the public or neglect to support his wife and children. No person shall be in a state of intoxication in any highway, street, alley or public place in the city, or in any private house or place to the annoyance of any person.

§ 11. No person shall indecently exhibit any animal within the city.

§ 12. No person shall carry advertising boards or placards through the streets of the city without permission from the mayor or common council.

§ 13. No sleigh of any kind without bells attached thereto shall be used or drawn in or through the streets of the city.

§ 14. No person shall fling or throw any stone, pebble, ice or snowball or any hard or hurtful substance or thing by hand or foot or by any air gun or other instrument within the bounds of the city.

§ 15. No person, society or organization of any name or nature shall assemble, congregate, parade or march in or through any of the streets of the city, with or without banners, transparencies or other devices, without permission of the mayor or common council.

§ 16. No person who shall offer for sale within the city any newspaper, article of food or other thing upon Sunday shall proclaim such sale by sounding a bell, gong or other device or by crying out or shouting.

§ 17. No person shall operate, play or perform or shall assist or take part in operating, playing or performing on any organ, bugle or other musical instrument in or through any of the streets or public places of the city without permission of the mayor or common council.

§ 18. Any person loitering or strolling about the streets or public places of the city, without any lawful business or occasion therefor and not giving a good account of himself, or unable to give a satisfactory explanation of his presence, or who, in any public street, park, playground, ground, inclosure, structure, building, room, or place open to the public, or where the public are permitted to be for any purpose whatsoever, intentionally and wilfully attracts the attention of any person by improper, lewd or indecent acts, signs or words, or in any way or manner solicits, attracts or attempts to solicit or attract the attention of another for any immoral or unlawful pur-

pose, shall be guilty of a misdemeanor and subject to a fine not exceeding fifty dollars or to imprisonment not exceeding fifty days, or to both such fine and imprisonment.

(Amendment of March 3, 1913.)

CHAPTER 22.

PARKS AND PUBLIC GROUNDS.

Section 1. No person shall cut down, destroy or wilfully break, mutilate or injure, or aid or assist in breaking, mutilating or injuring any fence, trees, shrubbery or fixture now or hereafter erected, made, planted, set out or being in or upon any of the streets, places, parks or public squares of the city, or do any wilful damage thereto.

§ 2. No person shall use any park or public place as a bleaching ground or spread thereon any articles of wearing apparel, cloth or clothes or any goods whatever, or shake, beat or cleanse any carpets, cloths or mats therein, or hang any clothing or other articles upon, or tie or fasten any horse or other animal to the fence surrounding or any tree within the same.

§ 3. No person shall cut, tread down, pull up, trample upon or injure the grass growing in any park of the city, or stand or lie upon any part of such park which is or may hereafter be laid out and appropriated for grass or shrubbery.

§ 4. No person shall climb or throw stones or other material or shoot into any tree in any park, public square, street or lane within the city for the purpose of killing or frightening birds or shall attempt to carry off young birds or in any manner disturb the nest or nests of birds in any of the trees as aforesaid.

§ 5. No person, persons or corporation shall set out or plant, or cause to be set out or planted between the curb line and street line of the adjoining lot on any street, avenue or public place, any tree which shall be one of the general class known as poplar and willow trees.

(Amendment of March 2, 1908.)

CHAPTER 23.

PAWBROKERS.

Section 1. No person shall carry on the business of pawnbroker within the city without having obtained a license so to do pursuant to the provisions of this chapter. The mayor may grant to any person applying therefor and producing satisfactory evidence of good character and a bond as herein provided a license to carry on the business of pawnbroker, which license shall continue during the fiscal year in which it is issued, the fee for which shall be one hundred dollars.

No person shall carry on the business of a pawnbroker until he shall have entered into a joint and several bond to the city of Syracuse, with two sureties to be approved by the mayor, in the penalty of one thousand dollars, conditioned for the observance of the ordinances of the city of Syracuse, the faithful discharge of his duties as a pawnbroker and the accounting for and paying over all moneys which he or she shall be liable to pay as such pawnbroker to the city of Syracuse or to any person. The mayor shall have power to revoke the license of any pawnbroker at any time upon the recommendation of the commissioner of public safety.

(Amendment of February 24, 1914.)

§ 2. No person engaged in the business of pawnbroker shall keep more than one house, shop or place for taking goods to pawn by virtue of one license, but persons in partnership carrying on the trade together as pawnbrokers in one house, shop or place, need procure but one license. Every pawnbroker shall keep a book in which shall be plainly written, at the time of each loan or purchase or sale by him, an accurate account and description of the goods, articles or things pawned or bought or sold, the amount of money loaned thereon or paid or received therefor, and the date at which said loan will be due, the date of the pledge or purchase or sale of the same, and the name, residence and description of the person pawning or pledging, or from whom or to whom the said goods, articles or things were purchased or sold. The said book shall be kept clean and legible, with no entry therein erased, obliterated or defaced, and shall at all times be open for the inspection of the

chief of police or any police officer upon the order of the chief. Every pawnbroker shall, at the time of each loan, deliver to the person pawning any goods, articles or things, a memorandum signed by him or her containing a copy of the entry in the book herein provided for, and no charge shall be made for such memorandum. Every person shall exhibit for inspection at any time to the chief of police, or any police officer upon the order of the chief of police, in person, property that may be pawned or pledged or purchased by or left with him or her on deposit.

(As amended February 6, 1905.)

§ 3. No pawnbroker shall demand or receive more than the following rates of interest, viz: On sums not exceeding \$2, 25 cents; on sums above \$2 and not exceeding \$4, 35 cents; on sums above \$4 and not exceeding \$25, 10 per cent. per month; on sums above \$25 and not exceeding \$50, 6 per cent per month; on sums above \$50 and not exceeding \$75, 3 per cent. per month, and no greater rate of interest shall be demanded or received upon loans made for a longer or shorter period, and said rates of interest shall be in full satisfaction of all charges including insurance.

§ 4. No pawnbroker shall sell any pawn or pledge until the same shall have remained in his or her possession at least four months after the expiration of the time stated for the payment of the money loaned thereon, nor until the expiration of the notice provided for in section five or this chapter, nor until after fully complying with the provisions of said section five. In case any goods, article or things which have been pawned shall not be redeemed at the time the money loaned was due, and the pawnor or person acting therefor shall at any time within three months thereafter tender to the pawnbroker the memorandum therefor, together with the principal money loaned and the interest thereon to the date of such tender, at the rate specified in the third section of this chapter, the pawnbroker shall immediately deliver to such person or pawnor the goods so pawned or the value thereof. The chief of police shall have the right, power and authority and it is hereby made his duty to appraise the value of any pawned goods which such pawnbroker may be unable to deliver upon payment of charges

thereon and the appraisal made by the chief of police shall in all cases be final and conclusive to all parties, and the pawnbroker shall immediately pay to such pawnor or person the amount so appraised.

§ 5. If any pawn or pledge shall remain unredeemed for a period of at least three months after the expiration of the time stated for the payment of the money loaned thereon, the pawnbroker having possession of the same may give notice to the person or persons pledging the same of his or her intention to declare the pledger's title to the pledge or pawn forfeited. Such notice shall be either written or printed and addressed to the pledger, signed by such pawnbroker, and must state in substance the intention of such pawnbroker to declare the pledger's title to the pawn or pledge, describing the same, forfeited at a specified hour, on a specified day, not less than one month from the service of the notice as herein provided, unless redeemed prior thereto. Such notice must be served at least one month prior to the day of forfeiture in the following manner, viz:

First: By delivering to and leaving with the pledger a copy of said notice, or

Second: By depositing in the postoffice at Syracuse, N. Y., a copy of said notice enclosed in a securely closed postpaid registered wrapper, directed to said pledger at his place of residence as it appears in the book to be kept by pawnbrokers, as provided by section two of this chapter, if the same be his last known place of residence, and if not, then to his last known place of residence.

Every pawnbroker shall keep a book in which he shall enter a record of all notices served as above provided, including the date and manner of service and the name of person making the same, which book shall at all times be open for inspection of the chief of police or any public officer upon his order.

If at any time prior to the hour of forfeiture designated in said notice, the pawnor or any person acting in his stead, tender to the pawnbroker a memoranda for the article or articles pawned, together with the principal money loaned with interest thereon to the date of such tender at the rate specified in the third section of this chapter, the pawnbroker shall im-

mediately deliver to the person or pawnor the goods so pawned or the value thereof. If such tender is not made prior to the hour of forfeiture designated in such notice, then the title to the pawn or pledge vests in the pawnbroker absolutely free and clear of all right of redemption.

§ 6. Every pawnbroker shall cause to be printed in large type in the English language, the rates of interest authorized by this chapter, and shall place a card or table of said rates, printed as herein required, in a conspicuous part of the office or place where pawnbroking business is carried on so as to be visible to all persons pledging goods. No pawnbroker shall purchase or receive any goods in pledge from any person who shall be actually or apparently under the age of twenty-one years or intoxicated or an habitual drunkard, nor shall any pawnbroker employ any person under the age of 16 years to take in any pledge or purchase any second-hand property. Nor shall he or she or any of his employes receive any goods in pawn or pledge before seven o'clock A. M. or after eight o'clock P. M., or on Sunday. No pawnbroker shall knowingly take in pawn or pledge a partly manufactured article for wear or consumption or otherwise or any material plainly intended for the manufacture of said article.

(As amended February 6, 1905.)

§ 7. Every pawnbroker licensed under the provisions of this chapter shall before 10 o'clock in the forenoon of every business day report to the chief of police, upon blank forms to be furnished by the department of public safety, giving a description of all articles purchased or received in pawn during the business day last preceding, together with the number of pawn ticket or memorandum issued therefor, the amount paid therefor or loaned thereon and a description of the person from whom said property was purchased or who made the pledge. In case any of said articles so purchased or received in pawn shall be found to be stolen then the said pawnbroker shall upon request from the chief of police report in writing the name and residence of the person selling or pledging said article.

(As amended February 6, 1905.)

CHAPTER 24.

PETROLEUM.

Section 1. No person shall keep or sell or store in any place or building within the city limits any crude petroleum, earth or rock oil or any of its products except under the following provisions:

§ 2. Crude petroleum, earth or rock oil or any of its products may be stored in any detached and properly ventilated warehouse, the exterior walls of which shall be of stone, brick or iron, having raised sills at least two feet high or the ground floor of which shall be at least two feet below the level of the street or adjacent land in such manner as to effectually prevent any overflow of such substances beyond the premises where the same may be stored, which said premises shall not be occupied in any part as a dwelling, and if less than fifty feet from any adjacent building the same must be separated by a brick or stone wall at least ten feet in height and sixteen inches thick.

§ 3. No refined petroleum or kerosene oil shall be kept upon sale or stored within the city limits the fire test of which shall be less than 110 degrees Fahrenheit; said test shall be determined by the fire marshal and the barrels or packages containing the same shall be legibly stamped or marked by him. When stored above the cellar or basement of any store or building, and in barrels that are not over forty-five gallons, or in metallic vessels or tanks, for the convenience of retailing, the quantity of such refined oil stored shall not exceed the contents of ten barrels.

When packed in hermetically sealed metallic packages, the quantities so stored shall not exceed one hundred barrels. When stored in cellars or basements surrounded by walls of brick or stone at least two feet below the level of the sidewalk, street or land adjacent, the quantity so stored shall not exceed the contents of one hundred and fifty barrels unless stored in premises specially adapted to that purpose, as provided by section two of this chapter, provided also that no quantity of said oils greater than five barrels shall be stored or kept in any building occupied in any part thereof as a dwelling.

§ 4. Benzine or naphtha may be stored under the provisions of this section as follows: When stored in or above the cellar or basement the quantity so stored shall not exceed the contents of ten barrels. When stored in a building any part of which may be occupied as a dwelling, the quantity so stored shall not exceed three barrels, provided that nothing in this chapter contained shall prevent the storage of crude or refined petroleum in wrought iron tanks detached from any building and especially adapted for that purpose or in other tanks so constructed that the top shall be at least two feet below the level of the street or adjoining land and covered with at least one foot of earth when such tanks are appurtenant to or connected with a refinery and shall meet with the approval of the fire marshal.

§ 5. In no case shall any of the articles mentioned in this chapter be allowed on any sidewalk beyond the front line of any building or in the street a longer time than shall be required for the storage, shipment or delivery of same, nor after sunset.

§ 6. It shall be the duty of the fire marshal to make an examination of all premises wherein either of the articles mentioned in this chapter may be kept or stored, and to report any violation of the provisions of this chapter at once to the commissioner of public safety.

§ 7. No person shall sell at retail any kerosene or other products of petroleum or any of the fluids or oils mentioned in section three of this chapter to be used for heating or illuminating or other purposes without first obtaining a permit so to do from the commissioner of public safety, which permit shall be for one year and shall not be transferable without the approval of the commissioner of public safety. Such permit shall be posted in a conspicuous place in the store or place of business of the person or persons to whom the same is issued and may be revoked for cause by said commissioner.

§ 8. No person shall sell at retail, and no person shall deliver at wholesale through the streets of the city any petroleum without first having obtained a license from the mayor so to do, said license to be signed by the mayor and city clerk

and to expire at the end of the fiscal year in which issued. The fee for said license shall be ten dollars (\$10) for each wagon used by retail peddlers and twenty-five dollars (\$25) for each wagon used for wholesale delivery. Such license shall not be granted, however, until the permit provided for in section seven shall have been obtained from the commissioner of public safety.

(Amendment of June 1, 1914.)

§ 9. No person shall in any manner cause any mark to be put upon any barrel or package by the fire marshal, as provided herein or upon such barrel or package, a false or fraudulent mark or fraudulently purchase, or sell any empty barrel or package, with the inspection marked thereon with the intent to defraud or fraudulently use any barrel or package so marked for the purpose of selling any other article of a quality or quantity different from that so inspected and marked on the barrel.

CHAPTER 25.

PHYSICANS.

Section 1. Every physician practicing his profession within the city limits, in case of death of any patient while under his care, shall give to the friends of the deceased a certificate stating name, nativity, age and cause of the death of deceased; such certificate shall be presented by the person receiving it to the sexton of any cemetery within the city limits or to an undertaker for record, on application being made for services.

CHAPTER 26.

POLICE.

Section 1. No person shall resist any police officer or member of the police department in the discharge of his duty or shall in any way interfere with or hinder or prevent him from discharging his duty as such officer or member or shall offer or endeavor to do so.

§ 2. No person shall refuse when called upon by a police officer or other member of the police department to promptly aid and assist him in the execution of his duties.

§ 3. No person shall falsely represent any of the members of the police department or shall maliciously or with intent to deceive use or imitate any of the signs, signals or devices or shall publicly wear any insignia or badge of that department.

§ 4. It shall be the duty of policemen to disperse all idle or vicious persons who may be found collected on corners of streets or elsewhere in the city and to protect the citizens while passing along the streets or into or out of any public hall or place from insult or annoyance from idle, dissolute or vicious persons.

A report shall be made by each policeman and every person connected with the police department of electric lights not lighted pursuant to contract or regulation. Each report shall be filed with the chief of police and by him filed with the commissioner of public works.

§ 5. The commissioner of public safety shall have power to appoint, to serve without pay, two hundred special policemen, which appointments shall be for the fiscal year in which made, unless sooner revoked by the commissioner of public safety.

(As amended January 15, 1900.)

CHAPTER 27.

RAILROADS AND STEAMBOATS.

Section 1. It shall be unlawful for any railroad company, or any of its officers or employes, or any of them, whose cars are propelled by steam power, to propel its cars or locomotives across or along any street within the city limits at a greater rate of speed than one mile in eight minutes.

It shall be unlawful for any street surface railway company or the owner, or operator, or any employe thereof, to propel its cars within a distance of one-half mile from the bridge at the junction of North and South Salina streets over the Erie

canal, commonly known as the "Hoist Bridge," at a greater rate of speed than one mile in six minutes or at any other place within the city limits at a greater rate of speed than at the rate of one mile in four minutes.

§ 2. It shall be unlawful for any person or company owning or operating, or any person in charge of a locomotive, engine, boat, vessel, car or train of cars, or any person in the employ of any railroad company, or in the employ of the owner of any boat or vessel, who has authority or power to remove or control a locomotive, engine, car, train of cars, boat or vessel, or the use of steam in such locomotive or engine, to permit or allow a locomotive, car or train of cars to remain or be left standing in, across or upon any public street, street crossing, alley or public grounds within the city, or to shift any cars, locomotives or trains, or make up or divide trains upon, across or along any of the streets of the city, or to blow any steam whistle or discharge steam from any locomotive or from any engine attached to any boat or vessel, to the annoyance of horses or citizens within the city limits.

§ 3. Every railroad company occupying any railroad track which traverses any street of the city shall at all times remove accumulations of snow from such street or so level the same as to render the said street free from obstruction to the public use and travel, from danger to person and property.

§ 4. No person within the city limits shall step or jump upon or off the step or platform of any car while the car is in motion, nor in any manner hang upon or to any step, platform, rail, bumper or coupling of any car or locomotive while such car or locomotive is in motion, nor pass between the cars of any stationary train unless such cars are uncoupled and a space made for that purpose.

§ 5. No car of any street railway in the city shall stop on any street or part of street paved with asphalt, brick or any other pavement to receive or let off passengers on any cross-walk or at any cross street except at points where the entire car shall be outside the limits of such cross street, nor shall any detached car be left standing in any public street or square except when rendered necessary by excavations of sewers or

pavements in such street or square, and no motorman or other person having the charge and control of any street railway car within the city shall permit or allow such car to pass any other car standing at any crossing for the discharge or reception of passengers until such car shall have started and has cleared at least thirty feet.

§ 6. Every owner or person managing any steam yacht or steamboat which may be used for pleasure or the conveyance of passengers or freight or for towing any boat or vessel upon which passengers or freight may be carried within the city, shall forthwith and hereafter on or before the first day of May of each year cause the boiler and attachments thereto of such steam yacht or steamboat to be thoroughly examined by a competent inspector to be designated by the mayor, and shall obtain from such inspector a certificate showing that such boiler and its attachments have been inspected and that they are in a safe condition for use and shall cause such certificate to be conspicuously posted in the cabin of such steam yacht or steamboat. He shall also at all times keep such boiler and its appurtenances in proper repair and at any and all times permit any person authorized by the mayor to inspect such boiler and its appurtenances, and shall, if such inspector deems the boiler or its appurtenances to be unsafe, forthwith repair the same. The expense of the inspection and the certificate hereby required shall be sustained by the owners or managers of such boat.

§ 7. Every owner or person managing any steam yacht, steamboat or other barge or vessel which may be used for pleasure or the conveyance of passengers to and from the city shall, prior to the first day of May of each year, cause said boat to be inspected by a competent person to be designated by the mayor and shall obtain from such person so designated a certificate which shall state the number of persons such steamboat, steam yacht or other vessel can receive on board and carry at one time with entire safety to such boat and the persons received thereon and shall cause such certificate to be posted in some conspicuous place in the cabin of such boat. The expense of such inspection and certificate hereby required shall be sustained by the owners or managers of such boat.

No person who shall fail to comply with the provisions of this section shall receive or discharge passengers upon or from such steam yacht, steamboat or barge or other vessel within the city of Syracuse. No person, whether the owner or the manager of such boat or an employe thereon, shall receive on board any such boat a greater number of persons than it is stated in such certificate can be received and carried thereon with entire safety as aforesaid.

§ 8. No passenger, employe or other person shall, with intent to defraud, counterfeit or falsely issue or wrongfully use any ticket or transfer of any street railroad company entitling or purporting to entitle the holder thereof to a passage upon any street railroad, or with like intent to sell, exchange or deliver or receive or use in any way such ticket or transfer.

§ 9. During the months of November, December, January, February and March of each year it shall be unlawful for any street surface railway company or corporation operating street cars along, upon or over street surface railway tracks, to run or operate or cause to be run or operated upon any of its tracks in the streets, highways and public places of the city any car for the conveyance of passengers for hire which does not have a vestibule enclosure upon the front end thereof, so constructed as to admit of light and which will protect the motorman, conductor and persons operating such car and the passengers riding in and upon the same from winds and storms; such inclosure or vestibule shall inclose the front end and one side of the front platform of each car, and it shall be unlawful for any company, association or corporation, motorman, conductor or any other person to run, operate or aid in running or operating or to direct or cause the operation of any street car operated to carry passengers for hire along, over or upon any street surface railway track or tracks in, along, upon or across any of the streets, highways, squares or public places of the city, which is not vestibuled as provided for herein.

CHAPTER 28.

SIDEWALKS AND GUTTERS.

Section 1. The occupant of each and every tenement or building in the city fronting upon any park, street or alley or the owner or the agent of the owner of any vacant lot fronting as aforesaid, shall at all times keep the sidewalk and gutters along the said premises clean and free from all obstructions of any kind, shall also keep closely cut all grass or weeds along said sidewalk and shall clear said sidewalk and gutter from all snow or ice that may fall on or accumulate every day by ten o'clock in the forenoon of each day and cause the same to be kept clean from all snow and ice.

§ 2. No person shall fasten a horse or other animal in such a way that the horse or other animal, vehicle, reins or line, shall be an obstacle to the free use of the sidewalk or crosswalk, or shall lead, push, draw or suffer to remain upon any sidewalk any horse or other animal, or shall leave, push, draw, ride, propel or suffer to remain upon any sidewalk, any wheelbarrow, hand cart, hand wagon, motor cycle, bicycle or other vehicle, or shall sell or attempt to sell or cry for sale at auction any goods, chattels or personal property, or saw or split wood, or mix or temper mortar, or curry or clean any horse or other animal or wash, clean or grease any wagon or other vehicle on any sidewalk or crosswalk or place any stone, cask, box, plank, board or other article on any side or cross walk; but nothing herein contained shall prohibit merchants from placing goods and merchandise upon the sidewalk for the purpose of loading and unloading the same, provided that the same shall be removed without unreasonable delay.

(Amendment of May 16, 1910.)

§ 3. No person or persons shall hereafter erect any awning of wood or other material except cloth upon or over any of the sidewalks of the city without permission of the common council. No person shall erect any cloth awning over any sidewalk of less than seven feet elevation from and extending more than six feet over the walk. No person shall suspend or place any wares, goods or merchandise in front of any store, shop or other building so as to obstruct the free passage of the sidewalk.

§ 4. No person shall set out or plant any tree within one foot of the outer line of the sidewalk.

§ 5. No person shall dig across the sidewalks in front of the premises owned or occupied by him or shall cause the same to be done without permission of the commissioner of public works in writing, which permission shall state the purpose for which such digging is to be done and such person after such digging has been done shall put the sidewalk in as good condition as before and shall maintain the same to the satisfaction of the commissioner of public works.

§ 6. No person shall erect or cause to be erected any stairs leading from the sidewalk and continuing over the same to an entrance in the first or other story of the building without permission of the common council.

§ 7. *Advertising signs, permits for required.*—No corporation, association, co-partnership or person shall construct or maintain any advertising or electric sign in or over any public place, street or alley in the city of Syracuse without obtaining permission therefor from the common council of said city and complying with all the provisions of this section.

Permit, how obtained.—Every application for such permission shall be in the form of a petition addressed to the common council, shall contain an accurate description of the portion or portions of the public place, street or alley desired to be occupied and the nature, dimensions and character of the sign which it is desired to erect, including the proposed wording in full of such sign, the name of the person by whom such sign is to be hung and shall be signed by the owner of the premises in front of which it is desired to construct or maintain said sign. Every such petition shall be filed with the city clerk and shall be referred by the common council to the commissioner of public safety for examination and certification. Permission and consent shall not be granted by the common council to said corporation, association, co-partnership or person unless, after such examination, the commissioner of public safety shall report and certify to the common council that the proposed sign complies with the provisions of this ordinance and that in his opinion it can be maintained

and constructed without unduly interfering or obstructing the use of said public place, street or alley.

Advertising and electric signs, attachment of.—All advertising and electric signs extending over any public place, street or alley shall be properly hinged according to specifications to be furnished by the sign inspector.

Weighing less than one hundred pounds, how supported.—Signs weighing less than one hundred pounds shall have one main support in the form of a bolt through the building wall, where possible, anchored by a washer plate of at least twenty-four square inches of surface and one-eighth inch thick, unless the supporting chain or cable is located at an angle greater than forty-five degrees, in which case, approved expansion bolts may be used. If the cable or chain to be attached to a bolt located at a distance greater than one foot from the building wall, said bolt shall be supported with a brace. For signs weighing less than one hundred pounds the minimum size of the steel cable shall be one-eighth of an inch in diameter; the minimum size of chain allowed shall be one-eighth of an inch in diameter. Where the angle of the supporting chain or cable is less than forty-five degrees, the cable shall be three-sixteenths of an inch in diameter and the chain one-quarter of an inch in diameter.

From one hundred to two hundred and fifty pounds, how supported.—Signs weighing between one hundred and two hundred and fifty pounds shall have one main support in the form of a bolt through the building wall where possible, anchored by a washer plate of at least thirty square inches of surface and one-eighth inch in thickness. If this is not possible, two main supports anchored by approved expansion bolts may be used. If the cable or chain be attached to a bolt located at a distance greater than six inches from the building wall, the bolt shall be supported with a brace. The minimum size of steel cable shall be one-quarter inch in diameter. The minimum size of chain shall be one-quarter inch in diameter. Where the angle of the supporting chain or cable is less than forty-five degrees, the cable shall be five-sixteenths of an inch in diameter and the chain shall be five-sixteenths of an inch in diameter.

From two hundred and fifty to three hundred and fifty, how supported.—Signs weighing between two hundred and fifty and three hundred and fifty pounds shall have two main supports in the form of bolts through the building wall, anchored by washer plates of at least thirty-six square inches in surface and one-eighth of an inch in thickness. If this is not possible, two main supports anchored by two approved expansion bolts may be used. The minimum size of steel cable allowed shall be three-eighths of an inch in diameter. The minimum size of chain allowed shall be three-eighths of an inch in diameter. Where the angle of the supporting chain or cable is less than forty-five degrees the steel cable shall be seven-sixteenths of an inch in diameter and the chain seven-sixteenths of an inch in diameter. For signs of this weight or greater, plans and details shall be submitted if desired with the application for approval or rejection by the commissioner of public safety.

Chains and cable.—All chains shall be galvanized. All cable shall be galvanized and shall consist of seven strands.

Weight of signs.—Horizontal signs shall not exceed in weight four pounds per square foot and vertical signs not more than six pounds per square foot, the weight of ladder included. All signs erected under this ordinance shall have the weight marked on the sign in plain figures.

Guys and side supports, material, size and spread.—Signs having thirty square feet or less of side surface and guys spread at an angle greater than forty-five degrees shall be supported by steel cable one-eighth of an inch in diameter or chain one-eighth of an inch in diameter. Signs of this area and supported by guys spread at an angle less than forty-five degrees shall be supported by steel cable one-quarter of an inch in diameter, or chains one-quarter of an inch in diameter. No guys shall be spread at an angle less than twenty-five degrees. Where the side guys can be attached to only one side of a sign of this area, a stiff brace consisting of gas pipe three-quarters of an inch in diameter and of standard thickness shall be used. Side guys spread at angles greater than forty-five degrees shall be fastened with approved expansion bolts in a solid brick or stone wall, or by a machine screw in an iron

front, or by a lag bolt in solid woodwork. Vertical signs shall have an additional pair of guys for every eight feet in height.

Bolts or screw fastenings.—Bolts or screws shall not be fastened to window frames. Lag bolts in solid woodwork shall not be less than one-quarter of an inch in thickness and shall enter woodwork at least three inches. Machine screws in iron front shall not be less than one-half inch in diameter and shall enter clear through the iron work. Expansion bolts shall be at least three-eighths of an inch in diameter and shall enter brick or stone wall at least four inches.

Fire escapes not obstructed.—Signs shall not obstruct or be attached to any part of a fire escape, and where any sign is hung near any fire escape it shall be arranged to swing away from such fire escape.

Cables and cable fastenings.—All cables shall be provided with sleeves and two cable clips must be provided for each cable and placed near the sleeve. Turn buckles of suitable size shall be provided for all the side guys and for one of the supporting cables where more than one is used.

Signs out of repair must be re-hung.—All signs now in existence, or such as may hereafter be erected, that shall become dangerous or necessary to repair, shall be re-hung upon order from the commissioner of public safety to comply with these rules.

Height and length of signs.—No advertising or electric sign shall be lower than ten feet from the sidewalk and shall not extend out over the sidewalk more than six feet. Vertical signs shall in no case extend above the lower roof line at point of erection. Provision shall be made at top of sign for a chain or cable support of not less than forty-five degrees above sign.

Removal of sign.—Every advertising or electric sign now erected or which may hereafter be erected shall be removed upon the order of the commissioner of public safety when, after being properly inspected, it shall be found to be unsafe or erected contrary to the provisions of this section.

Application of this ordinance.—Any advertising or electric sign which, prior to the date of the adoption of this ordinance as hereby amended, shall have been erected in accordance with section seven of chapter twenty-eight of the ordinances of the

city of Syracuse, as amended April eighteenth, nineteen hundred and ten, may be maintained as erected unless, after being properly inspected, it shall be found unsafe; except that whenever any such sign shall be re-hung, it shall be re-hung in accordance with the provisions of the within ordinance as hereby amended.

Future regulations to be complied with.—Each permit granted in pursuance of the within ordinance as hereby amended shall provide that the corporation, association, co-partnership or individual receiving said permit shall comply with the provisions of any ordinance or amendment thereto that shall hereafter be enacted by the common council regulating the construction and maintenance of such signs.

(Amendment of March 30, 1914.)

§ 8. No person shall erect any hitching post or other obstruction within the outer line of the gutter of any street nor shall any person drive or lead any team of any description on or across or along any sidewalk in the city, but nothing herein contained shall prevent the owner or occupant of lots from driving across the walks in front of their premises.

§ 9. No person shall use or occupy any sidewalk, street, alley or park within the city for the purpose of a huckster stand, or as a place for vending any fruits, nuts or other articles of merchandise without permission of the commissioner of public works in writing and without having obtained a license as provided for in these ordinances.

§ 10. No sidewalk hereafter relaid or constructed pursuant to section one hundred and fifty-nine of chapter twenty-six of the laws of eighteen hundred and eighty-five, shall be so relaid or constructed of wood. The material with which such sidewalks shall be relaid or constructed shall be stone, cement, asphalt, brick or such other artificial substance as the common council may direct.

(As amended November 16, 1903.)

CHAPTER 29.

WEIGHTS AND MEASURES.

Section 1. The mayor shall appoint a sealer of weights and measures who shall perform such duties as are prescribed by law, or as are hereinafter set forth in this ordinance, or in any amendment thereof, and shall devote his entire time to the discharge of the duties of his office.

(Amendment of October 26, 1908.)

§ 2. The sealer of weights and measures shall receive a salary to be fixed by the board of estimate and apportionment.

§ 3. The sealer of weights and measures shall, with the approval of the board of estimate and apportionment, appoint one or more deputies who shall have the same authority as the sealer of weights and measures.

§ 4. The sealer of weights and measures shall, before entering upon the duties of his office, take and subscribe before the city clerk an oath to faithfully perform the duties of his office, and shall execute a bond to the city, with at least two good and sufficient sureties or a surety company, to be approved by the corporation counsel and accepted by the common council of the said city, in the penal sum of five thousand dollars (\$5,000), conditioned upon the faithful performance of the duties of his office and for the safe keeping of all standards and measuring apparatus entrusted to his care.

§ 5. The word "measure" or "measures," as used in this ordinance, shall be construed to mean any device or devices used to ascertain the weight, size, quantity or other dimensions of any liquids, solids or other articles.

§ 6. The sealer of weights and measures shall possess jurisdiction and have the power within the city of Syracuse:

Powers of:

(a) To inspect and test the accuracy of all measures of every kind, and the tools and appliances connected therewith, used and employed within the city in determining the weight, size, quantity or other dimensions of any liquids, solids, or other articles offered for sale or hire.

(b) To enter without formal warrant for the purposes herein specified and in the general performance of his official duties any stand, place, building or premises where any measure or measures are kept or maintained for the purpose of testing, inspecting, correcting and sealing or condemning such measure or measures, either upon his own initiative or at the request of the mayor or chief of police of said city, or upon the filing by any person of a written request in the office of the sealer of weights and measures.

Duties:

§ 7. The sealer of weights and measures shall inspect, test, try and correct, if need be, any measure or measures:

(a) Once annually and oftener if, in his judgment, such inspection is warranted.

(b) Whenever any measure or measures are installed, renewed or altered in any specified stand, store, conveyance or establishment.

(c) Whenever a written request to examine any particular measure is filed in his office.

§ 8. It shall be the duty of the sealer of weights and measures, upon his first inspection, to deliver and leave with any person for whom he inspects any measure or measures a printed copy of this ordinance.

§ 9. All measure or measures that are tested by the sealer of weights and measures and found to conform to the legal standards shall be marked with the letter "S," and the last two figures of the year, or in such manner as the state superintendent of weights and measures may direct. No fee shall be collected for inspecting or sealing measures.

§ 10. The sealer of weights and measures shall give each person, firm, corporation, society or organization for whom any measure or measures have been tested, a certificate, properly dated, showing in detail for what the same is given and the results of his test, and a duplicate thereof shall be retained by the sealer and kept on file in his office.

(Amendment of October 26, 1908.)

§ 11. The sealer of weights and measures shall keep a register of all the measure or measures which have been in-

spected and examined by him, in which register he shall state the names of the owners of the same and whether the same, on inspection, were found to be correct or incorrect, and if found correct, that the same were properly tested and sealed by him. Such register shall be kept in his office in a book kept for that purpose and at the close of each and every fiscal year he shall file a copy thereof in the office of the city clerk.

§ 12. The sealer of weights and measures shall submit to the common council every third month, a written report showing the number and kind of measure or measures inspected, tested and sealed and the names of the owners thereof, and the number and kind of measure or measures condemned and the names of the owners thereof; the names of the persons arrested under this act; the property seized and the fines imposed and collected. The report shall also include an inventory of all the standards in the possession of the sealer, and an itemized statement of the expenditures of his office. The sealer of weights and measures shall make an annual report to the state superintendent of weights and measures on blanks furnished by the state superintendent.

§ 13. The sealer of weights and measures, by virtue of his office, is hereby empowered and directed to arrest or cause to be arrested any and all violators of the provisions of this ordinance, and to seize any false measure or measures found in the possession of the person so arrested and deliver the same to the magistrate before whom the person so arrested is required to be taken; and he is further empowered, in case no arrest is made, to seize and deliver any false measure or measures to same magistrate.

§ 14. Nothing in this ordinance shall be interpreted to authorize the sealer of weights and measures to enter or attempt to enter to inspect, or attempt to control any light, gas, power or water meter, or other kind of meter, over which the bureau of gas and electricity or the public service commission of the state of New York, or both, has or assumes to have jurisdiction, or over which either or both may hereafter take or assume jurisdiction or control.

(Amendment of October 26, 1908.)

§ 15. No license shall be issued to any hawker, peddler, vendor or dealer unless he presents a certificate from the sealer of weights and measures, showing that the measure or measures used by him have been properly inspected, tested and sealed immediately preceding the issuance of such license.

Be it ordained, that chapter twenty-nine of the general ordinances of the city be and the same is hereby amended by adding thereto the following sections, viz:

(Amendment of April 19, 1909.)

§ 15-a. No dry commodities shall be sold on the public market or on the public streets of the city of Syracuse except by standard weight or dry measure or numerical count.

§ 15-b. No liquid commodities shall be sold on the public market or on the public streets of said city except by standard weight or liquid measure.

Violation and penalties:

§ 16. Any person violating any of the provisions of this ordinance, or who uses or has in his possession any false or condemned measure or measures, or any person who is guilty of giving false or insufficient weights or measures shall forfeit to the people of the state of New York not more than the sum of fifty dollars. The possession of any false or condemned measure or measures shall be *prima facie* evidence that the same was intended to be used in violation of this act. The penalty hereby imposed shall be in addition to any other liability imposed by law.

(Amendment of October 26, 1908.)

§ 17. Whoever in any manner whatsoever impersonates or hinders the sealer of weights and measures, or state superintendent of weights and measures, or their assistants, in the performance of their official duties shall forfeit to the people of the state of New York the sum of not more than fifty dollars.

§ 18. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

§ 19. This ordinance shall take effect on January first, nineteen hundred and nine.

CHAPTER 30.

WATER.

Section 1. No person except a regular employee of the water department shall make any attachments to or connection with the pipes of the city water works or make any additions or alterations of any tap, pipe, cock or other fixtures connecting with the pipes supplying water to consumers from said water works, or make or insert any tap therein or lay any service pipe connected therewith unless such person shall be a licensed plumber and have permission in writing from the commissioner of public works.

§ 2. No person, except a regular employee of the water department, shall open any trench in the streets or public grounds of the city for the purpose of having any service connection with the water works of the city without first obtaining a written or printed permission from the commissioner of public works.

§ 3. Plumbers doing business in connection with the city water works will be considered as the agents of the person employing them in such work and will not in any case be recognized as in any sense the agents of the city, neither will the city be responsible in any way for acts of said plumbers.

§ 4. No person shall take water for supplying sprinkling carts from any street hydrant not designated in the permit issued to him.

§ 5. No person shall, except he be an agent or employee of the public works department or fire department or a person permitted by the public work department to take water for sprinkling purposes, disturb any street hydrant or take any water therefrom under any circumstances whatever.

§ 6. In case of damage or injury done by any person taking water from the street hydrant for street sprinkling, the holders of the permit for said sprinkling shall pay the cost of same on demand of the commissioner of public works into the city treasury, and in case of refusal or neglect to pay the same, his permit shall be revoked.

§ 7. It shall be the duty of all officers and employees of the city and all licensed plumbers to immediately notify the commissioner of public works of damage or injury to any street hydrant or any part or portion of the water system.

§ 8. No person shall allow water to run to prevent freezing in service pipes or other attachments or for the purpose of flushing the soil pipes, or otherwise or for the purpose of procuring cooler water or for any other purpose than those indicated in the application or permit for the same and which are allowed by the rules of the commissioner of public works unless the supply be furnished through a meter.

§ 9. The curb cock controlling any service shall not be opened or left opened by any plumber or other person after connecting said service with the street main or after making any new extension or attachments in unoccupied premises so that the water may be supplied to said premises by said service without the permission in writing of the commissioner of public works except in case where the work is a simple extension or additional attachments in the premises where the water is then in use or where a permit has been duly obtained to connect the same.

§ 10. The commissioner of public works or any person duly authorized by him shall have access to the premises of any water taker at any reasonable time to examine the pipes and fixtures and as to the quantity of water used and the manner of its use. In case a fraudulent representation on the part of any water taker or in case of unnecessary waste of water or in case entrance upon said premises is refused, the water will be shut off. In case the water is shut off no money paid to the city for water shall be refunded.

§ 11. All stand pipes or other pipes for the automatic extinguishment of fires which are attached to the water supply must be provided with suitable valves outside of the building under the exclusive control of the commissioner of public works. A valve must be provided, placed at the bottom of a stand pipe and each hose opening, which valves shall be sealed by the commissioner of public works, and any person breaking the seal so placed for the extinguishing of fires shall im-

mediately thereafter give notice to the commissioner of public works.

§ 12. Whenever any street or public ground is opened for making any connection with or laying any water pipe or fixture, public safety and convenience shall be duly regarded and conserved by the construction of such bridges across such trench as may be required to accommodate the public safety and business and that of adjacent owners; suspension of red signal lights and all other such means of protection as may be required by the commissioner of public works.

§ 13. Back filling of any service trench in any street or public ground shall not be commenced until the service shall be inspected and accepted by the commissioner of public works. Such back filling shall be firmly settled with rammers or pounders to such an extent that all the earth which has been taken from the trench shall be replaced therein and not left rounded above the surface of the street and in case the trench will receive more earth than was obtained from the excavation therefrom other material of a proper and suitable quality shall be furnished and pounded in and the pavement or other surface improvement shall be replaced within twenty-four hours from the time the excavation is made (except in case the pavement to be replaced is asphalt or asphaltina, when further reasonable time will be allowed) and the street will be left in as good and satisfactory condition as before excavation was begun; all refuse or surface earth, timbers, stone or other material shall be fully and entirely removed from the street immediately by the owner or his plumber and if not so removed it may be done by the commissioner of public works at the owner's expense. If the water service trench is not properly filled as provided by this section or if it settles thereafter the commissioner of public works may cause it to be repaired without notice, and if such repair becomes necessary within a period of six months the cost of same shall be charged to and collected of the plumber and if he shall fail to pay the same promptly on demand his license may be revoked by the commissioner of public works. In estimating the said period of six months, the time between the fifteenth of November and the fifteenth of April shall not be included.

§ 14. No meter through which the supply of water is being received by any person shall be removed or disturbed without permission in writing from the commissioner of public works.

§ 15. The owner of the premises and tenants shall provide ready and convenient access to the meter so that it may be frequently read and examined.

§ 16. Whenever water has been turned off for nonpayment of rents or other cause no person shall turn it on again who is not authorized so to do by the commissioner of public works.

§ 17. No water taker shall supply water in any manner or in any fixture or device whatever to occupants of neighboring premises except by special permission in writing from the commissioner of public works.

§ 18. Hose attachments to the city water works for lawn and garden sprinkling shall be used as follows: The hose used for sprinkling must have an inside diameter of not exceeding three-quarters of an inch and the nozzle shall have an orifice of not exceeding one-quarter inch and the use of leaking or defective hose is prohibited. Sprinkling with hose is allowed from May first to November first and not to exceed three hours each day, and while in use no person is allowed to sprinkle outside or adjoining premises, nor use water from street hose attachment or through said hose for any purpose not authorized by the commissioner of public works. Fountain sprinklers or hose attachments set up as jets or kept running are prohibited except when paid for at fountain rates.

§ 19. All sprinkling attachments not held in the hand while in use shall be classed as fountains and fountain jets and so charged.

CHAPTER 31.

JUNK DEALERS.

Section 1. No person or persons shall engage in or carry on the business of a junk dealer without first obtaining a license so to do under the provisions of this chapter, nor shall he continue any such business after the license may have been revoked.

The mayor may grant to any person applying therefor and producing satisfactory evidence of good character a license to carry on the business of junk dealer, which license shall be signed by the mayor and city clerk and shall expire at the end of the fiscal year in which issued.

The person to whom such license may be issued shall pay therefor the sum of \$5.00. The mayor shall have power to revoke such license at any time upon request of the commissioner of public safety.

§ 2. All junk dealers shall keep a record of every article purchased, showing the name and residence of the person from which such article was purchased, price paid, and the date of such purchase. Such record shall be open at all times to the inspection of the chief of police or any police officer authorized by him, and any article or thing purchased shall be exhibited on demand of such chief of police or police officer.

No goods shall be purchased from any minor, nor shall any goods be purchased after sunset or before seven A. M. by any junk dealer. All wagons or carts used by junk dealers in the prosecution of such business shall have painted upon each side letters and figures, not less than one and one-half inches in length, the name or names of the owners, their place of business and license number. If any junk dealer have in his possession any goods or articles which shall have been advertised as lost or stolen, he shall immediately notify the chief of police of the fact.

No junk dealer shall receive or hold license as a pawn-broker, or receive any article as a pledge or pawn. The place of business of each junk dealer shall be stated in the license and such license shall not be valid for use in a different location except by written permission of the mayor.

Any person, corporation, member or members, co-partnership or firm buying, selling or dealing in old ropes, rags, old iron, brass, copper, lead, zinc or any article or thing which, from its worn condition renders it useless for the purpose for which it was made, is hereby declared and defined to be a junk dealer.

(Adopted November 9, 1914.)

CHAPTER 32.

BILL POSTING.

Section 1. The common council may grant to any person, a resident of the state of New York, or any corporation organized under the laws thereof, applying to it therefor, a license to engage in and carry on within the city limits the business of bill poster, bill distributing, sample distribution, for advertising purposes and sign advertising or either or all such occupations. No person shall engage in such business without such license, which license shall be signed by the mayor and city clerk and shall expire at the end of the fiscal year in which granted.

§ 2. Every licensee under the provisions of this ordinance shall pay to the city clerk on the delivery of the license duly granted him as follows:

For a bill poster's license which shall authorize the carrying on of all the occupations named in section one of this chapter, the sum of forty dollars.

For a bill distributor's license which shall authorize the distribution of bills, circulars, pamphlets, notices or samples, or other articles used to advertise a particular business, exhibition, entertainment, excursion or other matter or thing, the sum of twenty-five dollars.

§ 3. No person or corporation to whom a license shall be granted, as in this chapter provided, shall charge or receive more than the following prices for the distribution of bills, circulars, samples and advertisements and the posting of bills, to wit:

Posting bills for one week for any show, entertainment or business, three cents per sheet.

Distributing almanacs, pamphlets or books to private houses one dollar and fifty cents per thousand.

Distributing bills, circulars or notices to private houses, one dollar and twenty-five cents per thousand.

Distributing bills, circulars or notices to business houses and offices, one dollar per thousand.

§ 4. No person shall scatter or throw in any alley or upon any of the streets of said city or hand to pedestrians thereon,

posters, handbills, advertisements or papers of any kind, or shall attach to any tree, lamppost, electric light, hydrant or box covering the same or place on any building whatever belonging to the city in or upon any of the parks, trees, lanes or alleys of the city any bill, notice, letters, pictures or characters of any kind for the purpose of advertising any show, performance or entertainment, and nothing in this chapter shall be construed to authorize any person or persons to obstruct the streets, sidewalks and alleys of said city or create any nuisance therein or to prevent the posting of notices required by law.

§ 5. Nothing herein contained shall be construed to prevent merchants and other residents of and doing business in the city of Syracuse from distributing bills or advertising business in which they are directly engaged, nor shall anything herein contained be construed to prevent any religious, benevolent, labor or social organization of the city of Syracuse from distributing bills for advertising its meetings, entertainments, excursions or assemblies, subject to the restrictions contained in section four of this chapter.

CHAPTER 32-A.

ITINERANT VENDORS.

Section 1. No person, firm or corporation shall engage in the business or trade of an itinerant vendor in the city of Syracuse without first having obtained a license therefor.

§ 2. The words "itinerant vendor" shall be construed to mean and include all persons, firms or corporations, both principals and agents engaging in a temporary or transient business in the city of Syracuse of selling goods, wares and merchandise, and who for the purpose of carrying on such business hire, lease or occupy a room, building or structure for the exhibition or sale of such goods, wares and merchandise, and a person, firm or corporation so engaged shall not be relieved from the provisions of this ordinance by reason of association temporarily with any local dealer, trader, merchant or auctioneer or by conducting such temporary or transient business

in connection with or as a part of the business of, or in the name of any local dealer, trader, merchant or auctioneer.

§ 3. The provisions of this ordinance shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business nor to peddlers or hawkers on the streets.

§ 4. Every itinerant vendor, whether principal or agent, shall before commencing business in the city of Syracuse make application in writing under oath to the mayor of said city in such form as the mayor shall prescribe for a license stating the name and residence of the vendor and the name and residence of the person, if any, who is to act as agent for the vendor in conducting the business, the kind or kinds of goods to be sold, the place or places where it is proposed to conduct the business, the number of weeks or fractions thereof for which a license is desired, and any information which the mayor may require pertaining to the quality of the goods to be sold, the kind and character of advertising in reference thereto to be issued, and the methods generally by which the business is to be carried on. Such application shall be accompanied by the affidavit of at least two reputable residents of the city to the effect that the person who is to conduct the business is of good moral character. Upon the receipt of such application the mayor shall investigate or cause to be investigated the character and responsibility of the vendor and of the person, if any, who is to conduct the business for the vendor as agent, and the truth of the statements contained in the application, and may receive evidence in the form of affidavits pertaining to these matters, and if he shall become convinced that the interest of the public require that the application shall be rejected he may reject the same, but every application made to him shall be granted or rejected within three days after it shall have been made and filed with him.

§ 5. Before such license is issued the applicant shall pay to the City Clerk the sum of fifty dollars for each week or fraction of a week that the license is to continue, and shall deposit with the city clerk a bond in the penal sum of one thousand dollars executed by two or more sureties, or a duly authorized surety company approved by the mayor, which

bond shall be made payable to the City of Syracuse, and shall be conditioned that the applicant as vendor or as agent, and all persons acting for him or for whom he acts, will comply with all the provisions of this ordinance, and of the laws of the State of New York, and shall pay all damages occasioned to any person by reason of any mis-statement, misrepresentation, fraud or deception, or any unlawful act or omission on the part of the licensee and any one acting for him or for whom he acts while conducting business under the said license. The license shall be signed by the mayor and the city clerk.

§ 6. A license issued in pursuance of this ordinance shall not be transferable and shall not authorize more than one person to sell goods as an itinerant vendor, either personally or as agent of another, but the licensee may have the assistance of one or more persons in conducting his business who may aid him in so doing, but such assistant or assistants shall not act for the licensee except when such licensee is personally present and in charge of said business unless there shall be indorsed on the license a certificate signed by the mayor and city clerk, specifically providing that such assistant or assistants may act for the licensee in conducting said business during the licensee's absence, unless special permit so to do is given in writing by the mayor and city clerk. The mayor at any time for cause may revoke a license granted hereunder.

§ 7. Any failure to comply with the provisions of this ordinance or any violation thereof shall make the person, firm or corporation so failing guilty of a misdemeanor, and subject to a fine not exceeding one hundred dollars, or imprisonment not exceeding one hundred days.

§ 8. This ordinance shall take effect immediately.
(Amendment of May 18, 1914.)

CHAPTER 33.

BOILERS AND ENGINES.

Section 1. There shall be appointed an inspector of steam boilers who shall hold office during the pleasure of the mayor. Said inspector shall be a practical boiler maker.

§ 2. Said inspector before entering upon the duties of his office shall execute a bond to the city of Syracuse in the sum of \$1,000 to be approved by the mayor and conditioned for the faithful performance of the duties of his office and shall file such bond with the city clerk.

§ 3. Such inspector shall be a person well qualified from practical experience in the use and construction of boilers used for generating steam for power, steaming or heating purposes, to enable him to judge of their safety for use as such, and shall not be directly or indirectly interested in the manufacture, ownership or agency of steam boilers which are to be inspected.

§ 4. It shall be the duty of the inspector to inspect twice in each year all boilers used for generating steam power, or for heating or steam purposes, and all tanks subjected to steam pressure used in any business or public building except such boilers and tanks as shall have been inspected and insured by some duly authorized insurance company within six months of the time the inspector shall offer to inspect the same, by making a careful examination and subjecting the same to a hydrostatic pressure, which shall exceed in maximum working pressure in the ratio of 150 pounds, and in no case working pressure to be more than 100 pounds per square inch for a new boiler, forty-eight inches in diameter, made of No. 1 iron or steel plates of one-fourth inch in thickness and the steam pressure of all boilers, whether thicker or thinner, larger or smaller, than above mentioned in this section, shall be governed by the same standard of strength. The boiler inspector before inspecting any boiler or tank shall give the owner or person having charge of the same one week's notice of his intention to inspect the same.

§ 5. When an inspection of a boiler or tank has been made the same shall be approved by the inspector; he shall make and deliver to the person for whom the inspection was made, upon payment of the fees hereinafter mentioned, a certificate of such inspection, which shall contain the date of inspection, together with the general description of such boiler or tank, for what purpose used, the number of try cocks, steam and

water gauges, pumps and the number of pounds pressure at which said boiler or tank has been tested and the maximum pressure at which it may be safely used, which shall be framed and put up in the office or in some other conspicuous place on the premises for examination and a record of the same shall be made by the said inspector in a well bound book and alphabetically indexed.

§ 6. It shall be the duty of said inspector, on written application of the owner or agent of any boiler, generator or super-heater, stating that the same is out of repair or has been repaired, to examine the same when so repaired and determine if the same has been properly done.

§ 7. The said inspector may charge a fee of three dollars for inspecting each boiler, including tank, if one be used in connection with such boiler, and three dollars for each tank if inspected separately, which shall be paid by the party owning such boiler or tank before the delivery of such certificate, excepting that in any establishment where more than one boiler is used, said inspector shall only be entitled to such fee of \$3 upon one boiler and a fee of \$1 for each and every additional boiler. The inspector shall pay all fees by him collected into the City Treasury on or before the fifth day of each month.

§ 8. No inspector shall take or receive any money other than the fees allowed by this ordinance for the purpose of deceiving or defrauding any person or persons; nor shall such inspector issue any certificate of inspection without having at the time stated thoroughly tested and examined the boiler so certified for.

§ 9. The Board of Contract and Supply shall provide such instruments, books, papers and things as shall be necessary for the proper performance of his duties as inspector, which shall be the property of such city and which shall be delivered to the commissioner of public works whenever he shall cease for any cause to discharge the duties of his office; and said inspector shall also without expense or charge inspect all boilers owned or used by the city or any of its departments whenever called upon by the proper officer.

§ 10. It shall be the duty of every owner or other person using steam boilers or any tank or tanks subject to steam pressure in the city, to have the same inspected by the inspector of boilers as often as once in each and every year. Every owner or person using a steam boiler or tank as aforesaid shall make or cause to be made annually an application in writing to the inspector requesting him to inspect the same, provided, however, that any person or owner using such tank or boiler who shall have had the same inspected and insured by a duly authorized insurance company within six months of the time the inspector may offer to inspect the same shall not be required to comply with this ordinance.

§ 11. It shall be the duty of every owner or other person using steam boilers in the city to provide and fix thereto a full complement of try cocks, one water gauge and one or more safety valves of suitable dimensions, to be approved by said inspector, also a good sufficient force pump or other means of supplying the boiler with water, which shall also be subject to the approval of said inspector.

§ 12. All owners or persons using steam boilers and tanks subject to inspection as aforesaid shall provide at their own expense such arrangements and facilities for attaching the instruments for inspection as the inspector shall direct.

§ 13. The safety valves of steam boilers shall not be allowed to extend beyond the maximum pressure allowed by said inspector.

§ 14. It shall be the duty of the inspector on or before the fifty day of every month to file with the city clerk a sworn statement showing the names of owners of boilers, alphabetically arranged, whose boilers have been inspected by him during the previous month, the location of said boiler, the date of inspection and the amount of money received by him and from whom received for inspection during such previous month.

§ 15. It shall be the duty of the boiler inspector to carefully inspect all boilers used in any and all city buildings twice in each year, and also whenever directed by the Mayor or Common Council.

CHAPTER 34.

MUNICIPAL LODGING HOUSE.

Section 1. There shall be maintained by the city of Syracuse a municipal lodging house, which shall be under the direction and control of the commissioner of charities. The commissioner of charities shall appoint a superintendent thereof and such assistants and subordinates as may be prescribed by the board of estimate and apportionment.

CHAPTER 35.

CITY OFFICERS.

Section 1. It shall be the duty of all officers and employes of the city to pay all debts for necessary personal and household expenses incurred during his or her term of office and any neglect so to do shall be sufficient cause for his or her removal from employment or office.

§ 2. The fire marshal of the city of Syracuse is hereby empowered to appoint a deputy and such other subordinates as may be prescribed by the board of estimate and apportionment; said deputy shall during the absence from the city or other incapacity of the fire marshal, act in the place and discharge the duties of said fire marshal.

§ 3. It shall be the duty of the city engineer to keep the city hall and other public buildings of the city in a clean and orderly condition and for that purpose shall employ such subordinates and other assistants as shall be prescribed by the board of estimate and apportionment.

§ 4. The mayor is hereby empowered to appoint to assist him in the discharge of his official duties such assistants as may be prescribed by the board of estimate and apportionment.

§ 5. All fines imposed by the police justice shall be paid by the officer who shall receive them into the city treasury at least once in each month, except such fines as are by law to be paid to some other officer.

§ 6. No city officer named in this section shall enter upon the discharge of the duties of his office until a bond shall have been given to the city, with two or more sureties to be approved by the mayor, or the bond of a surety company duly authorized to do business in the state of New York, approved in like manner, conditioned for the faithful discharge of the duties of his office and in penalty as follows: Comptroller, \$10,000; deputy comptroller, \$5,000; city treasurer, \$50,000; deputy city treasurer, \$10,000; cashier in city treasurer's office, \$10,000; tax abstract clerk, \$2,500; commissioner of public works, \$10,000; deputy commissioner of public works, \$5,000; commissioner of public safety, \$5,000; deputy commissioner of public safety, \$2,500; health officer, \$2,500; chief of the fire department, \$2,500; corporation counsel, \$5,000; first assistant corporation counsel, \$2,500; chief of police, \$2,500; commissioner of charities and correction, \$5,000; overseer of the poor, \$2,500; city clerk, \$5,000; keeper of the public pound, \$500; custodian of markets, \$250; clerk of board of contract and supply, \$10,000; cashier bureau of water, \$10,000; assistant cashier bureau of water, \$5,000; bookkeeper department of charities, \$1,500.

Said bonds shall be filed and recorded in the office of the city clerk.

(Amendment of January 27, 1914.)

§ 7. There shall be appointed to aid the city clerk in the discharge of his official duties one first assistant clerk; one second assistant clerk, who shall be a stenographer; one third assistant clerk and a messenger to the common council.

(As amended February 26, 1900.)

CHAPTER 36.

MISCELLANEOUS.

Section 1. All bonds given for complete performance of any contract with the city shall contain a clause that the persons performing such contract will pay over to the person who shall furnish supplies and materials for the use of and completion of said contract and every person who shall render services or labor in and about the performance of said contract

and also a further clause authorizing each and every such person to bring an action upon such bond in the same manner and to the same effect as if he were specifically named in said bond.

§ 2. No person shall, within the limits of the city, who has not a liquor or beer license, keep or maintain any public billiard or pool room or bowling alley or shooting gallery for the playing of which any compensation, direct or indirect, shall be demanded without first having obtained a license therefor and no person keeping a pool or billiard table in any saloon, room or place where beer or liquors of any kind are sold shall permit any person who is under the age of eighteen years to play pool therein.

§ 3. Any person of good moral character desiring to conduct any public billiard room, pool room, bowling alley or shooting gallery where ale or liquors are not sold, shall first obtain a license therefor from the mayor; such license shall be signed by the mayor and city clerk and shall expire on the last day of the fiscal year in which issued. The fee for license to conduct a billiard room or pool room shall be five dollars per year for each table and the fee for license to conduct a bowling alley or shooting gallery shall be ten dollars per year.

(Amendment of February 24, 1914.)

§ 4. No vendor, huckster or showman shall do business within the city without a license from the Mayor, and any vendor, huckster or showman desiring a license for which a fee has not been fixed by these ordinances, shall apply to the mayor therefor. The issuing of said license, the term thereof, and the fee therefor shall be in the discretion of the mayor. With each license so issued to any huckster or vendor who sells or hawks his goods from a wagon there shall be delivered by the city clerk, free of charge, a badge bearing the license number, and such badge shall be worn in a conspicuous place on the person of the licensee while engaged in transacting business under the license, and no such huckster or vendor shall carry on such business without such badge being worn as provided. In case such licensee employs an assistant in selling goods from said wagon, such assistant must be pro-

vided with a badge bearing the same license number and which must be procured from the city clerk by the payment of a fee of five dollars (\$5.00) for such additional badge, such badge to be worn in a conspicuous place upon the person of the assistant.

This ordinance shall be deemed as additional and supplementary to those now provided for the carrying on of such business.

(Amendment of January 18, 1909.)

§ 5. No person shall keep within the streets or other public places of the city a night lunch wagon without first procuring a license so to do from the city clerk, said license to be signed by the mayor and city clerk and to expire at the end of the fiscal year in which issued. Said license shall designate the place where such night lunch wagon shall stand and the fee for such license shall be fifty dollars. No person, company or corporation shall receive a license for more than three night lunch wagons. No night lunch wagon shall stand in the public streets during the ordinary business hours of the day.

(Amendment of March 16, 1914.)

§ 6. The emission of dense smoke within the city from the smokestack of any locomotive, steamboat, steam tug, steam roller, steam derrick, steam pile driver, tar kettle or other similar machine or contrivance, or from the smokestack or chimney of any steam boiler, excepting for a period of six minutes in any one hour during which the fire box is being cleaned out or a new fire built therein, is hereby declared to be a nuisance and may be summarily abated by the smoke inspector or by any one whom he may duly authorize for such purpose. Such abatement may be in addition to the fine hereinafter provided. Any person, corporation, association or co-partnership owning, operating or in charge or in control of any locomotive, steamboat, steam tug, steam roller, steam derrick, steam pile driver, tar kettle or other similar machine or contrivance, or of any steam boiler, who shall cause or permit the emission of dense smoke within the city from the smokestack or chimney of any such locomotive, steamboat, steam tug, steam roller, steam derrick, steam pile driver, tar kettle or other similar machine or contrivance, or from the

smokestack or chimney of any steam boiler so owned, controlled or in charge of him, her or them, except for a period of six minutes in any one hour during which the fire box is being cleaned out or a new fire being built therein, shall be deemed guilty of a violation of this ordinance and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars for each offense and each day of such emission of dense smoke shall constitute a separate offense.

(As amended February 18, 1907.)

§ 7. All fees for licenses granted under any and all provisions of these ordinances shall be paid to the city clerk, who shall deposit the same with the city treasurer daily, except as provided in section seven of chapter two of the ordinances of the city of Syracuse as amended, and shall also keep a record of all licenses issued.

(As amended February 20, 1901.)

§ 8. The city of Syracuse shall be divided by the commissioner of public safety into four (4) fire districts as follows: The First, Second, Third and Fourth fire districts.

The fire department of said city shall consist of one chief, a district chief for each of the above named fire districts, one superintendent of fire alarm telegraph, one assistant superintendent of fire alarm telegraph, one instructor together with such captains, lieutenants, drivers, hosemen, pipemen, linemen and helpers as may be necessary for the proper and efficient management of the engines and the apparatus of the department; provided, that the whole number of men connected with each engine shall not exceed ten; provided also, that the whole number of men connected with each hook and ladder carriage shall not exceed ten.

(Amendment of June 1, 1914.)

§ 9. The police force of the city shall as to its membership component parts be as follows, viz: One chief, one deputy chief, one captain, three lieutenants, one detective sergeant, eight sergeants, one traffic sergeant, eleven detectives, one clerk to chief of police, one Bertillion clerk, one court attendant, one superintendent signal plant, one gymnasium in-

structor, one gymnasium superintendent, three matrons, one Polish interpreter, one Italian interpreter, one patrolwoman, and not more than one hundred and eighty patrolmen, subject to the approval of the board of estimate and apportionment of the city of Syracuse, in the manner and form prescribed by section one hundred thirty-four of the act governing cities of the second class.

(Amendment of March 29, 1915.)

§ 10. No owner of any land within the city limits shall allow any sidewalk adjoining said land to be at any time other than in good repair and in a good and safe condition; nor shall any such owner allow any accumulation of snow or ice or any other obstruction thereon.

§ 11. No person shall remove, mutilate, disturb, cover or in any way interfere with or render inaccessible any land monument or cover thereto within the limits of the city of Syracuse without the permission of the city engineer in writing.

§ 12. (Repealed.)

§ 13. Expectorating upon the floors of public buildings, street cars, public conveyances and in any public place within the city limits is hereby forbidden.

Any person offending against the provisions of this section shall be subject to a fine of not less than two dollars nor more than five dollars.

(Amendment of February 14, 1911.)

§ 14. There shall be held a regular meeting of the common council on Monday of each week at two p. m. o'clock, at the City Hall, unless any such Monday be a legal holiday, and in such event on the following Tuesday at said hour, unless otherwise ordered by the common council; and

Be it further ordained, That the head of each department and bureau of the city government be and they hereby are requested to be in their respective offices at said hour so that the members of the common council may confer with them if they so desire.

(Amendment of October 5, 1908.)

§ 15. No person shall drive, lead, stand or hitch any animal into, across, along or upon any bicycle path now constructed or to be constructed for the exclusive use of bicycles in the city of Syracuse.

§ 16. It shall be at all times the right and privilege of any person within the city to have weighed, free of charge, upon any public scale belonging to the city any coal purchased for domestic or household use.

§ 17. A. *Definitions.*—Congested districts refers to the section of the city contained within the one-half mile circle using the Salina street hoist bridge as the center.

Vehicle. The word vehicle includes equestrians, animals that are led, and everything on wheels or runners except railroad cars.

Horse. The word horse includes all domestic animals.

Driver. The word driver includes the rider and driver of a horse, the rider of bicycles and motorcycles, and the operator of motor vehicles or any other vehicles.

B. *Police to Have Authority.*—The police department shall have control of and shall regulate and supervise vehicular traffic in streets, bridges, squares, parks, parkways, alleys and public places of the city, and all drivers shall obey the reasonable orders of the officers of such department.

No person shall ride or propel any bicycle or motorcycle, or any other vehicle upon any street, bridge, square, park, parkway, alley or public place of this city within six hundred feet of any apparatus controlled by the fire or police departments when responding to an alarm or call. No person riding or propelling any such vehicle shall proceed or follow such apparatus when responding to an alarm or call within a distance of six hundred feet therefrom.

(Amendment of August 10, 1914.)

C. *Speed.*—No person shall operate any vehicle in any public highway, street, square, park, parkway or public place at a speed greater than one mile in four minutes, or in a careless or imprudent manner or at a rate of speed greater than is reasonable and proper having regard to traffic and use of the highway, street, square, park, parkway or public place, or so as to endanger the life or limb of any person, or the safety

of any person or property. A rate of speed of any vehicle in excess of ten miles per hour in the congested district or upon approaching a bridge, sharp curve, or descent, or upon approaching a crossing or intersecting streets or rounding a corner, or in traversing a bridge, curve or descent, or the failure of the person driving or operating the vehicle to have the same in control, shall be presumptive evidence of the driving of the vehicle at a rate of speed and in a manner which is not careful and prudent, and so as to endanger the life and limb of persons and the safety of property upon the public highway or public place.

D. *Right of Way.*—Vehicles in the service of the police and fire departments, the United States mail, emergency repair wagons in the service of the city, street railway or lighting company, licensed ambulances or vehicles of physicians bearing the Red Cross emblem in plain view when proceeding to or returning from an emergency call, shall have the right of way in any street and through any procession, but the drivers of such emergency repair wagons, ambulances and physicians' vehicles shall satisfy the police that they are actually engaged in answering or returning from such emergency calls.

Vehicles approaching from the right shall have the right of way.

Vehicles in the congested district moving slowly shall keep as close as possible to the curb on the right.

Outside the congested district and wherever possible, all horse drawn slow moving vehicles must keep within four feet of the right hand curb.

E. *Warning Signals.*—Every bicycle, tricycle, automobile, motorcycle, ambulance or emergency vehicle driven in any street, square, park, parkway, alley or public place of the city shall be equipped with a horn, bell, or some other signal, and such horn, bell or other signal shall be used in giving warning to pedestrians, or other vehicles, when necessary. The use of sirens or other unusual, annoying or particularly loud signals of any sort is forbidden except upon motor-driven apparatus of the fire department or police department.

Mufflers shall be absolutely closed within the city limits on motor vehicles.

F. Prohibitions.—No person shall ride, propel or coast any bicycle upon any street, lane, alley, square or parkway of this city abreast of or hang onto a street car, automobile, motorcycle or other vehicle of any nature.

No vehicle shall, while used for advertising purposes, be driven or conveyed through any street, avenue, square, park, parkway, alley or public place of the city.

No person shall drive any vehicle upon any sidewalk of the city. No person shall drive any vehicle with the hands off the guiding apparatus, nor shall any person riding a bicycle coast upon any public street or sidewalk, or proceed with the feet off the pedals, nor perform any trick or fancy riding upon any street, square, park, parkway, alley or public place of the city.

No person shall ride on the handle bars, frame or tank of any motorcycle or bicycle, nor shall two persons be allowed to ride on any motorcycle or bicycle upon the streets, squares, parks, parkways, alleys or avenues of the city, unless such motorcycle or bicycle is provided with proper seats for two.

No animals shall be allowed to stand upon the street without being properly hitched. No animals shall be allowed to be fed upon a public street.

G. Not to Obstruct Sidewalks.—No person shall place or leave any bicycle, tricycle or motorcycle upon any sidewalk in such a manner as to obstruct traffic on or across the same, nor shall any bicycle, tricycle or motorcycle be left upon any street between the curbs thereof so as to obstruct traffic.

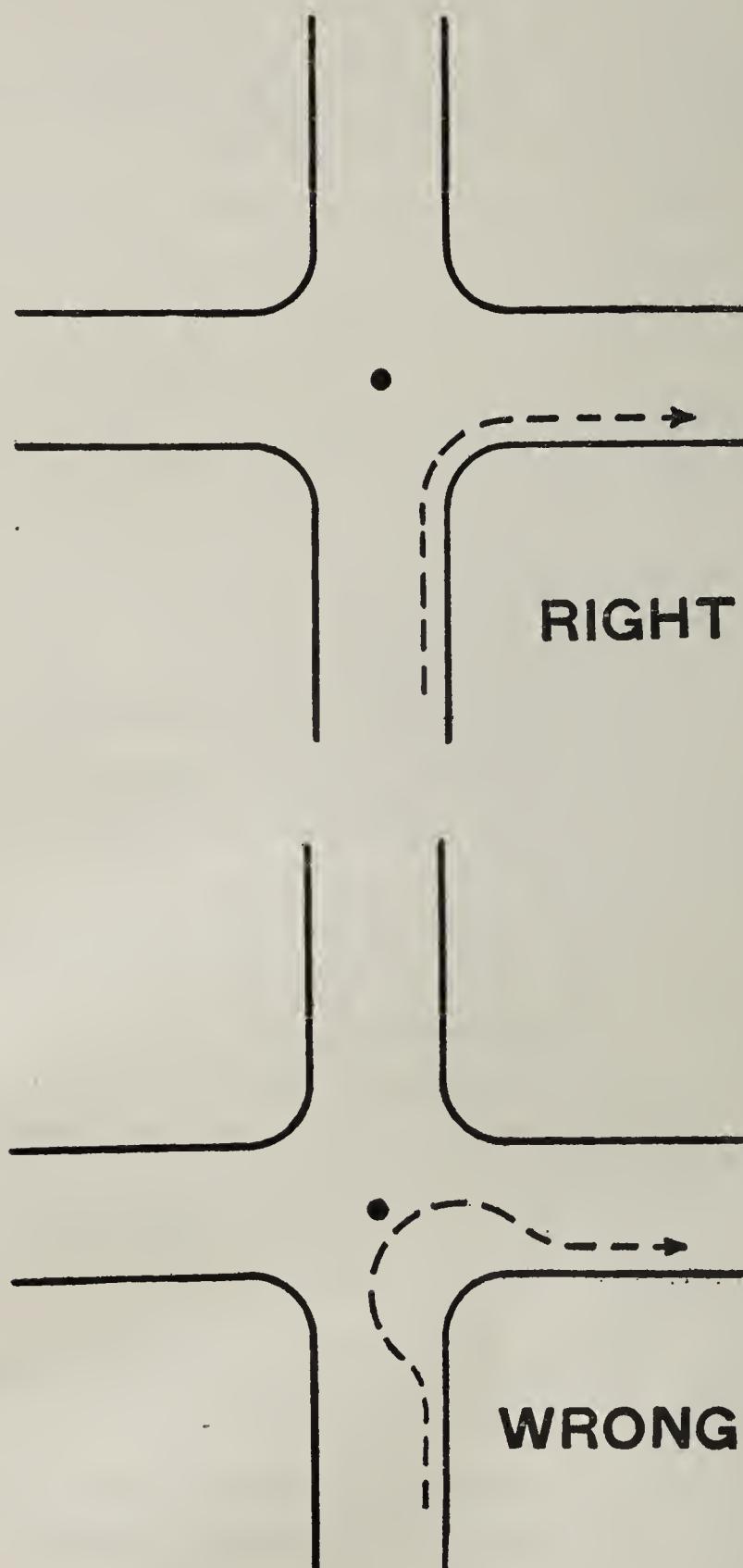
H. Keep to the Right.—A vehicle, except when passing a vehicle ahead, shall keep as near the right hand curb as possible.

Meeting and Passing.—A vehicle meeting another shall pass to the right.

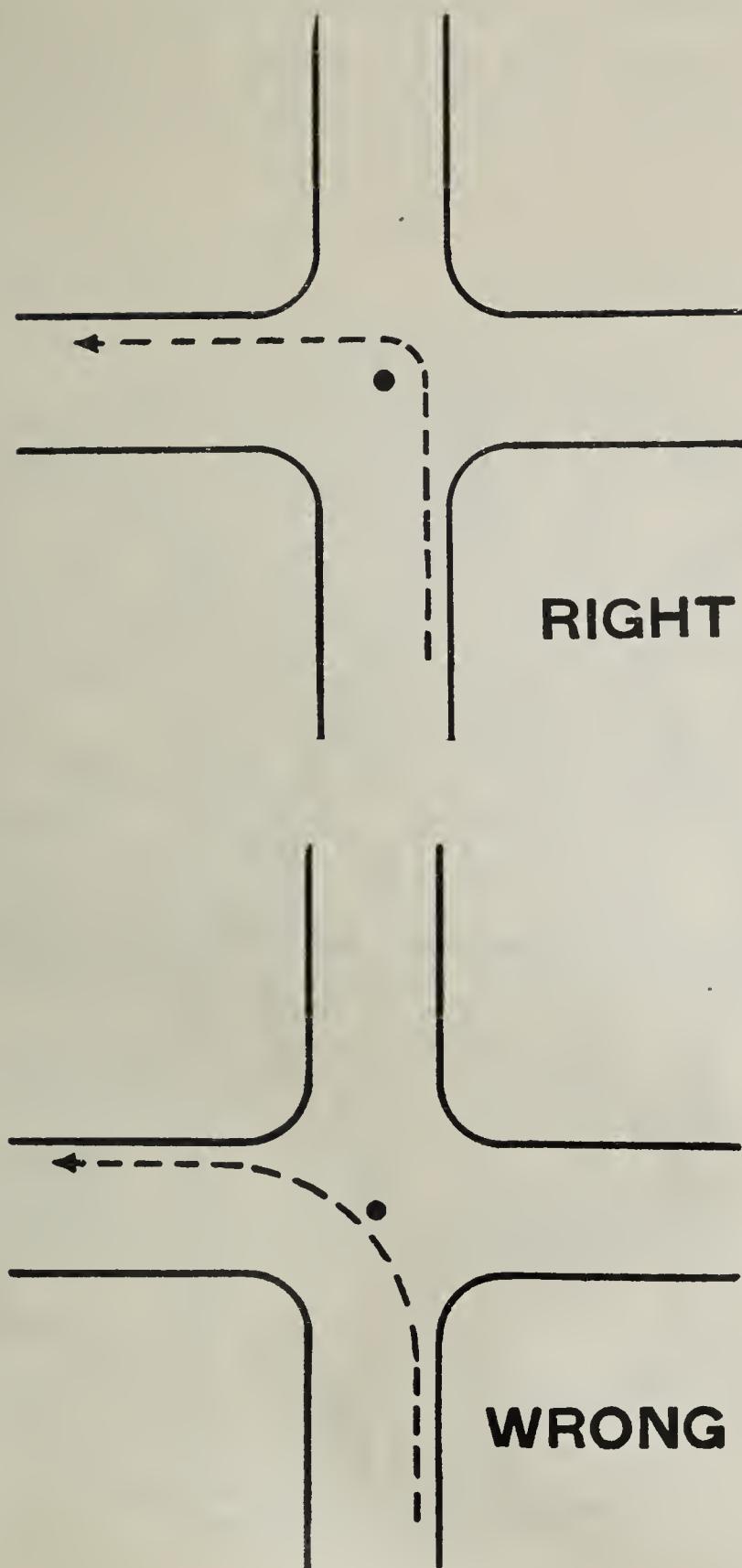
Overtaking and Passing.—A vehicle overtaking another shall pass to the left and not pull to the right until entirely clear of the vehicle passed.

On Divided Streets.—On an avenue or street divided by a parkway, walk, sunken way or viaduct, vehicles shall, when indicated by the proper signs or notices, keep to the right of such divisions.

Turning Corners to the Right.—Vehicles turning corner to the right shall turn as near the right hand curb as possible.



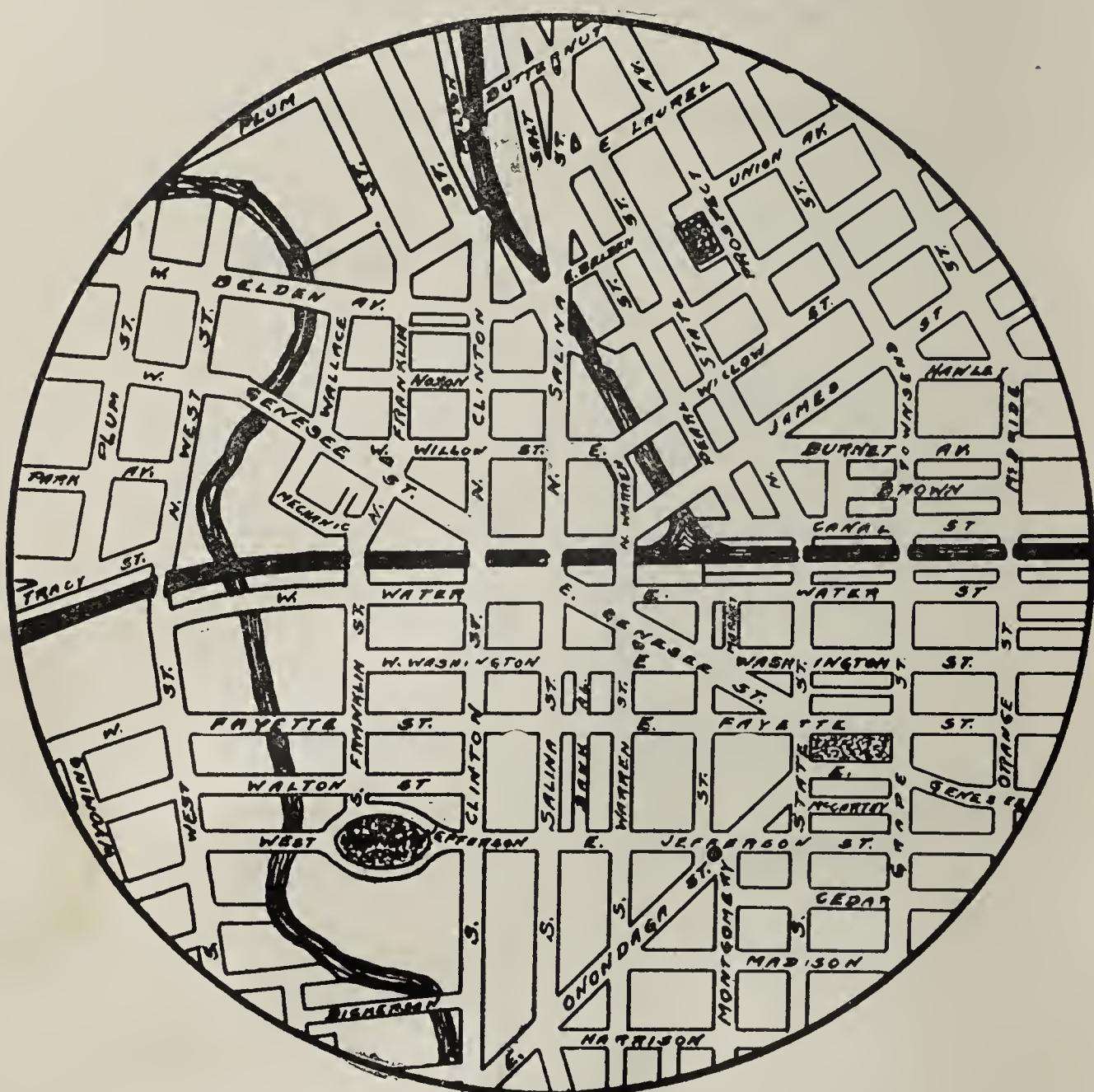
Turning Corners to the Left.—Vehicles turning corner to the left shall pass the center of the street intersection before the turn is made.



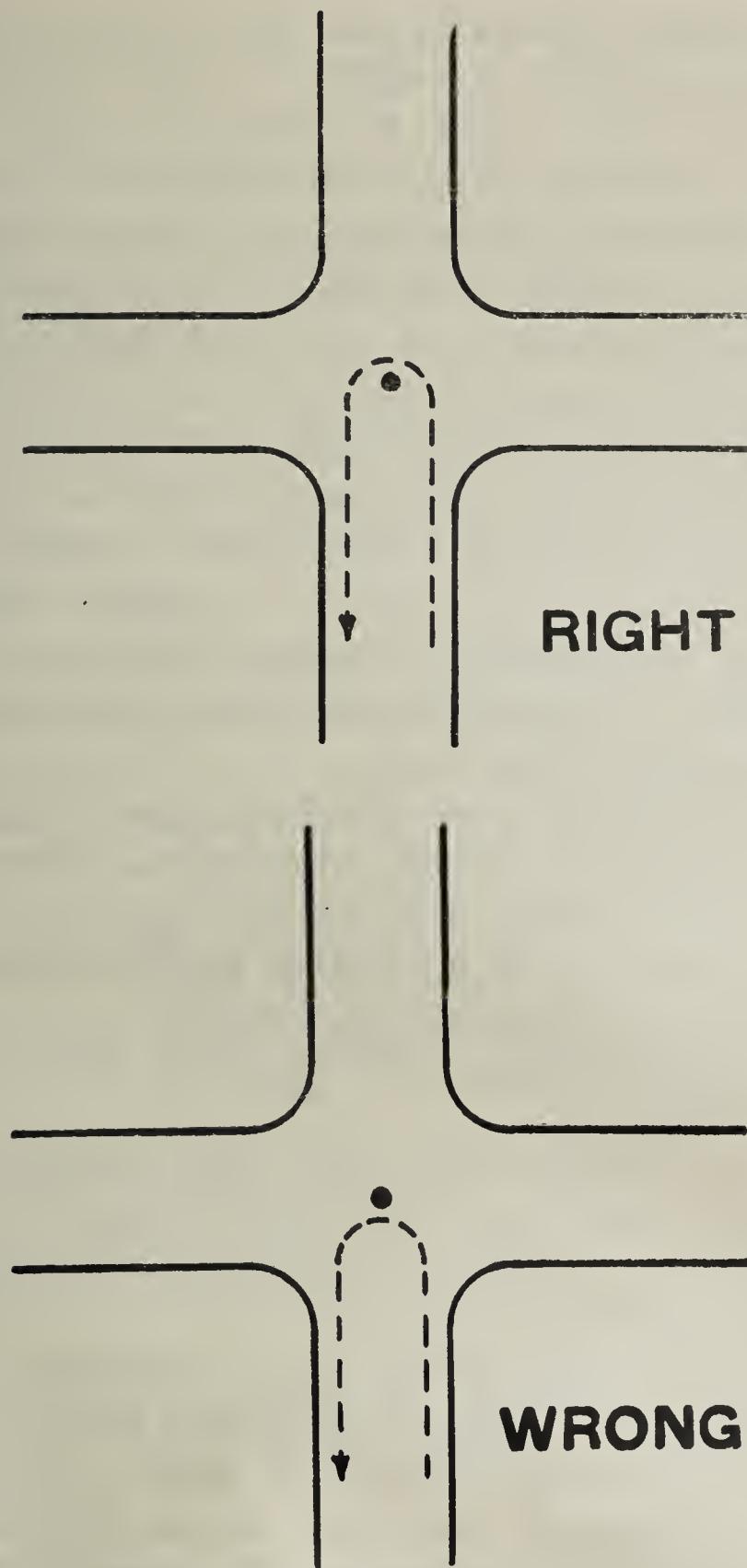
Stopping.—Vehicles shall stop with their right hand side at the curb.

Stopping Street Cars.—When practical, street cars in the congested district will stop on the near side of the intersecting street, with no stop on the far side.

Congested District.—The congested district is all that territory within the half mile circle, using the Salina street hoist bridge as the center, a map of which is as follows:



Turning in the Center of Blocks.—In the congested district, drivers shall not turn in the center of the block, nor cross from one side of the roadway to the other, but must cross at the end of the block inside the crosswalk.



Emergency Stops.—Vehicles, except in emergency, or to allow another vehicle or pedestrians to cross its path, shall not stop in a street, square, park, parkway, alley or public place except at the curb.

Discharging People or Merchandise.—So far as practical, all persons or merchandise shall be discharged from the side of the vehicle upon which same is being carried, and in no

case shall a vehicle remain backed up to a curb except when actually discharging heavy freight. If said vehicle be horse-drawn, and have four wheels, the horse or horses must stand parallel to the curb and faced in the direction of traffic.

Signals.—In slowing up or stopping, a signal shall be given those behind by raising the whip or hand horizontally. In turning, while in motion, or in starting to turn from a standstill, a signal shall be given by raising a whip or hand, indicating with it the direction in which the turn is to be made.

Obstructing Crossings.—No vehicle shall be stopped upon any crossing so as to obstruct the passage of pedestrians.

Waiting Vehicles.—No vehicle, unattended, shall be left waiting at any curb within the congested district longer than twenty minutes. A motor driven vehicle in no case shall be left unless the power is shut off.

A vehicle with a driver or chauffeur must promptly let off or take on passengers or merchandise without shutting off the power, after which vehicle must be kept moving. When resting a vehicle shall be at a parking station hereinafter described or in streets in uncongested district.

Regulations for waiting vehicles are in force from eight a. m. to six-thirty p. m.

Department of public works, and other vehicles in the employ of the city, shall have the right to stand at the curb a reasonable time for loading on refuse, cleaning catch basins, collecting garbage, etc.

Vehicles Approaching Street Cars.—Vehicles approaching street cars which are loading or unloading passengers, within the boundary of the congested district, shall not pass such cars, but shall slow down and bring their vehicle to a stop. Every driver of a vehicle shall, in slowing up or stopping, give a signal to those behind by raising the hand or whip horizontally.

Outside of the congested district where right of way is absolutely clear, vehicles may pass street cars so stopping if they clear six feet from the lower step, or running board of the street car. Otherwise such vehicle shall stop as hereinbefore provided. However, unceasing vigilance must be exercised on all streets and at all times by the drivers whenever a street car stops, or passengers are assembled to take car.

Obstructing Traffic.—No vehicle shall so occupy any street as to interfere with or interrupt the passage of street cars or other vehicles.

Conditions of Vehicles.—No one shall drive or conduct any vehicle in such condition so constructed or so loaded, as to be likely to cause delay in traffic, or accident or injury to man, beast or property.

J. *Age of Drivers or Operators.*—No person shall operate or drive a motor vehicle, or other vehicle, who is under eighteen years of age, unless such person is accompanied by a fully licensed chauffeur, or the owner of the motor vehicle or other vehicle being operated.

K. *Obedience.*—Drivers of vehicles must at all times comply with any direction by voice, or whistle, of any member of the police department as to stopping, starting, approaching or departing from any place, the method of taking up or setting down passengers, or loading or unloading freight.

L. *Dazzling Lights Forbidden.*—No motor vehicle, motorcycle, bicycle, ambulance, emergency wagon, or other vehicle shall display or have lighted a light burning acetylene or gas formed from or by acetylene, or electric or other searchlight, unless in either case the same be screened or covered or dimmed so as not to glare or dazzle.

M. *Light on Vehicles, How Regulated.*—All vehicles shall exhibit during the period from one hour after sunset to one hour before sunrise, on the left side of the vehicle, a white light visible within a reasonable distance in front of such vehicle, and a red light, visible within a reasonable distance, in the rear thereof.

N. *Funeral Processions.*—No person shall drive any vehicle or animal between the conveyance of a funeral procession or interrupt or detain such procession or any part thereof in any manner, while it is moving on any of the public streets. This provision shall not apply to the drivers or persons in charge of public ambulances, the vehicles and apparatus of the police and fire department, United States mail, or to conveyances of physicians bearing the Red Cross emblem while responding to emergency calls.

O. *Parking of Cars.*—Cars may be parked at any of the herein mentioned locations:

Vanderbilt Square, University and White Memorial buildings' frontage.

West Water street, facing Wieting block, along Erie canal.

Onondaga street, Cedar street and State street at the Court House.

Harrison street, between Salina street and Warren street.

North and south sides of Veterans' Park, Water street.

Jefferson street, north and south side from Montgomery, half way to Warren.

Side streets not mentioned as streets where cars must be kept in motion outside of the congested district.

In Vanderbilt Square, cars shall be parked at an angle of forty-five degrees, and shall be lined up in the rear at a distance of eight feet from the curb. Cars shall be lined up close together to avoid waste space.

No vehicle shall be left standing on Railroad street between the New York Central station and East Genesee street, except at the parking station in Vanderbilt Square, which is the space in front of the University block and White Memorial building.

P. *Accidents.*—In case of an accident, such as a collision with a person, animal, or vehicle, the operator of any vehicle in the collision must immediately stop and give his name and residence and the number of his license, if a licensed machine, and render such assistance as may be reasonable and necessary within his power.

Q. *Automobiles. Being Towed Through the Streets.*—In towing automobiles through the streets three men shall be required, one operating the forward machine, one steering the rear machine, and one watching to see that no pedestrians walk in between.

The distance between machines shall not be more than fifteen feet.

R. *Placing of Signs.*—The commissioner of public safety of the city is hereby authorized and directed to place conspicuously on each main public highway where the line of said city

crosses the same, signs of sufficient size to be easily readable by a person using the highway, bearing the words, "City of Syracuse; slow down to fifteen miles;" and also an arrow pointing in the direction where the speed is to be reduced. Also the commissioner of public safety is hereby authorized and directed to place conspicuously on each main public highway leading to the center of the city, where the half mile circle crosses the same, signs of sufficient size to be easily readable by a person using the highway bearing the words, "Congested district; unsafe driving prohibited; slow down to ten miles," with an arrow pointing in the direction of the center of the city.

S. *Penalties.*—Any person violating subdivision C of this ordinance shall be guilty of a misdemeanor, and liable to a fine of not more than fifty (\$50.00) dollars, or imprisonment in the Onondaga county penitentiary for a term of not more than fifty days, or to both such fine and imprisonment. Any person violating any other subdivision or subdivisions of this ordinance shall be guilty of a misdemeanor, and liable to a fine of not more than ten (\$10.00) dollars or imprisonment in the Onondaga county penitentiary for a term of not more than ten days, or to both such fine and imprisonment.

(Amendment of August 10, 1914.

T. *Limitations.*—All ordinances and parts of ordinances of the city of Syracuse inconsistent with the provisions of this ordinance are hereby rescinded, such rescission to be effective when this ordinance takes effect.

U. This ordinance shall take effect thirty-five days from the date when the same shall have been approved, and signed by the mayor of the city of Syracuse, and the city clerk is hereby directed to file with the secretary of state a certified copy of this ordinance at least thirty days before the same shall take effect.

Motorcycles shall be and hereby are exempt from the provisions of section seventeen of chapter thirty-six of the ordinances of the city of Syracuse in so far as the same applies to the speed of said motorcycles. No person shall operate or drive a motorcycle on any public highway of and in the city

of Syracuse at a greater rate of speed than one mile in five minutes, or one mile in seven minutes in turning corners.

(Amendment of July 3, 1911.)

§ 18. When by the terms of any statute or ordinance public notice is required to be given of the reception of bids for the letting of contracts by the board of contract and supply of said city for the performance of any work, or for the supplying of any materials for the city, or for any office, court, board or department thereof, and the manner in which public notice shall be given is not specified in such statute or ordinance, then the public notice so to be given shall be given by five successive daily publications thereof, Sundays and legal holidays excepted, in the official paper of the city, the last of which publication shall be at least two days prior to the date fixed for the reception of bids and the letting of contracts described in such notice.

(As amended May 28, 1906.)

§ 19. No firm, person, corporation or association, or any employee of such or any of such, shall in the newspapers or other publications of this city, or in public advertisements, bills or posters, or in communications intended for a large number of persons, knowingly make or disseminate any false statement or assertion of fact calculated to mislead with respect to his, its or their business affairs concerning the quality, the quantity, the value, price, the method of production or manufacture, or the fixing of the price of his, its or their merchandise or professional work, or the manner or source of purchase of such merchandise, or the possession of awards, prizes or distinctions, or the motive or purpose of a sale intended to have the appearance of an advantageous offer.

§ 20. Every wire for furnishing light, heat or power, or for the purpose of carrying an electric current for any purpose whatsoever within the city of Syracuse, led into any building from the outside thereof, shall be arranged with suitable appliances to cut off the current on the outside of the building, and all wires, including telegraph, telephone, messenger or time wires, placed inside any building, shall be properly insulated. None of said wires shall be led to any

building used for manufacturing or commercial purposes at a point lower than the roof nor within the half-mile circle, as shown by the city map, to any building at a lower point. All poles used for the support of any such wires other than trolley wires shall be of sufficient height so that the lowest arm thereon shall be at least twenty-five feet from the ground; and all dead wires shall be removed by the owner of the same.

In no case shall any such wire, appliances or currents be introduced into any building, nor operated therein, except in accordance with the rules and requirements of the National Board of Fire Underwriters for the installation of wiring and apparatus for electric light, heat and power, and all outside wiring and apparatus for light, heat and power, or for telegraph, telephone, messenger or time service, or for the purpose of carrying an electric current for any purpose whatever, shall be put up, erected, maintained and operated only within the aforesaid rules and requirements. No person or corporation shall place or introduce into any building in the city any wire for the aforesaid purposes until said person or corporation shall have filed with the fire marshal a written or printed statement which shall give the name of the owner and the location of the building, for what purpose the wiring is to be done, and the name of the person or company doing the same, together with a certificate from the inspector of electrical construction or city electrician of said city that the said person or company is competent to perform such work. The fire marshal shall enter in a book to be kept for that purpose the name of the owner, the location of the building, the character of the wiring and the name of the contractor, and shall issue to the contractor a permit for the doing of such work in accordance with the rules and requirements of said National Board of Fire Underwriters.

Any telephone, telegraph, electric light company, or person doing business in the city of Syracuse, shall comply with the conditions of this ordinance, excepting that any telephone, telegraph or electric light company may at any time make the necessary connections and changes in the manner provided by this ordinance, and shall file a statement as hereinbefore provided, showing the changes and connections made as above, as often as once a week.

The provisions of this ordinance shall be applicable to wiring now in existence sixty days from the time this ordinance takes effect.

The penalty collected for any violation of this ordinance shall be paid to the fire and police pension funds in equal shares.

Until provisions for an inspector of electrical construction or city electrician shall be made by the city, the fire marshal shall accept in lieu of the certificate of competency from the city electrician or inspector of electrical construction such evidence of the competency of persons, corporations or companies doing electrical work as shall be satisfactory to him.

§ 21. No telephone or telegraph pole nor any poles whereon wires may be placed or strung shall be hereafter set, placed or erected in the city of Syracuse, New York, until the name of the person or company owning said pole shall have its name stamped or placed thereon in a legible manner at least one foot and not more than six feet above the ground; and further ordained, that every telephone or telegraph company and every other person or corporation owning and maintaining poles in the city of Syracuse, New York, heretofore placed and erected whereon wires are now strung or may hereafter be strung or placed, shall, on or before the first day of December, nineteen hundred and six, place or stamp thereon the name of such person or company owning and maintaining said pole in a legible manner at least one foot and not to exceed six feet above the ground, and shall keep and maintain such name upon such poles.

§ 22. Any person found trespassing in lumber yards, outhouses, barns, buildings or upon private property within the city limits without lawful business or occasion therefor, and not giving a good account of himself, shall be guilty of a misdemeanor.

(Added May 18, 1908.)

§ 23. Whenever any proposals shall be solicited for the doing of any public work or improvement in the city, every corporation, co-partnership or person submitting a bid for the furnishing of the materials and the doing of such public work shall submit with such bid a certified check, drawn upon a

solvent bank or trust company in the State of New York, in an amount equal to five per cent of the price bid by it or them, for the furnishing of such materials and the doing of the work.

(Added March 22, 1909.)

§ 24. No agreement shall be made by any department or officer of the city for the installation or maintenance of any city telephone service, in addition to that now existing or for the continuance of the existing service, except upon the approval of the Commissioner of Public Safety, who shall supervise the location, installation and maintenance of all city telephones and all wiring and apparatus belonging thereto. Special agreements for special city telephone service may be made at special rates by the various departments and officers of the city in the manner provided by law, subject to the approval of the commissioner of public safety, but no agreement for the installation or maintenance of any regular city telephone service, or for the continuance of any portion of the existing regular city telephone service shall be made at a higher rate than is now being paid for such service, except upon express authorization by the common council.

(Adopted January 18, 1915.)

§ 25. On and after January first, nineteen hundred and sixteen, it shall be unlawful to sell or expose for sale, or buy or exchange, or give away, or have in possession, any balloon made or intended to contain fire, for the purpose of ascension, or send up or cause to ascend any balloon containing in or about it any fire, but this section shall not apply to any balloon in which a human being shall ascend, or which shall be intended for use in such ascension.

SALE OF DRUGS.

Be it ordained by the common council of the city of Syracuse as follows:

Section 1. No pharmacist, merchant or any other person, by himself, or by his servant or agent, or as the servant or agent of any other person or of any firm or corporation, shall sell, furnish, dispose of, barter, or give away any narcotic drug

in any quantity, except upon written prescription of a physician or dentist or veterinarian licensed under the laws of the state of New York.

§ 2. For the purposes of this ordinance the following drugs, compounds and preparations shall be deemed narcotic drugs, namely: Stovain, heroin, morphine, codeine, chloral, chloral hydrate, alypin, or any salt, compound or derivative of, or any preparation containing any of the aforesaid substances, or any substance under any other name giving a chemical reaction or other test recognized by the United States pharmacopoeia corresponding to that of any of the aforesaid substances or of any of their salts, compounds or derivatives.

§ 3. No prescription for a narcotic drug shall be written or filled unless it is dated and signed by the prescriber and specifies the person for whom, or the owner of the animal and the kind of animal for which it is intended, and none shall be filled, unless it is an original prescription. No such prescription shall be filled except in the quantity specified by the prescriber, and none shall be filled more than once.

§ 4. Every pharmacist who sells, furnishes, disposes of, barters, or gives away any narcotic drug shall file the original of every prescription that he fills for such drugs, numbering and filing such prescriptions consecutively, according to the time when they are filled. If any pharmacist shall have a consecutive numbering and filing system for all prescriptions those for narcotic drugs may be filed and numbered along with the other prescriptions. All prescriptions for narcotic drugs shall be preserved by pharmacists for at least three years from the date of the prescriptions and shall be open to the inspection of any health officer of the city of Syracuse or the coroner of Onondaga county.

§ 5. No pharmacist shall give a copy of a prescription for a narcotic to any person.

§ 6. No pharmacist shall fill a prescription for a narcotic drug without plainly labeling the bottle, package or box containing the drug prescribed, with his own name and address, or, in case of a partnership or corporation, with the name and address of the partnership or corporation, and also the name

of the prescriber, the directions for taking the drug, and the name of the person for whom or the owner of the animal for which the drug was prescribed.

§ 7. No physician shall prescribe any narcotic drug for any person, except for the treatment of disease, injury or deformity, or as a part of a course of cure for the habitual use of a narcotic drug. No dentist shall prescribe a narcotic drug for any person not under his treatment and unless the prescription is given in the regular practice of his profession. No veterinarian shall prescribe any narcotic drug for any human being, or for any animal, unless he shall be affirmatively satisfied that the drug will be used for the animal and not for the purposes of evading the provisions of this ordinance.

§ 8. It shall be unlawful for any person to have in his possession a narcotic drug, cocaine, alpha or beta eucaine or any salt, admixture, compound or derivative of, or any preparation containing any of the aforesaid substances, or any substance under any other name giving a chemical reaction or other test recognized by the United States pharmacopeia corresponding to that of any of the aforesaid substances or any of their salts, compounds or derivatives, unless such drug has been prescribed in accordance with the provisions of this ordinance, or that he is acting as the agent for a person for whom, or for the owner of an animal for which such drug has been prescribed in accordance with the provisions of this ordinance. The fact of possession of any such drug, salt, admixture, compound, derivative, preparation or substance, except as provided in this ordinance, shall be *prima facie* evidence of violation of this ordinance, on the part of the possessor. Nothing in this section shall apply to the possession of narcotic or anaesthetic drugs, substances or compounds under circumstances amounting to a felony under section one thousand seven hundred fifty-two of the penal law. Nothing in this section shall apply to the possession of narcotic drugs or of any of said substances by pharmacists, licensed physicians, dentists or veterinarians, or by hospitals, sanatoriums or nurses which or who have permits from the health officer of the city of Syracuse to keep such drugs. Such permits may be revoked by the health officer at any time for cause and shall in no case be valid for more than a year from the date of issue.

§ 9. Nothing in this ordinance shall apply to the sale at wholesale by wholesale druggists or pharmaceutical manufacturers doing business in the city of Syracuse, to retail druggists, hospitals, or sanatoriums or to physicians, dentists or to veterinarians licensed under the laws of the state of New York. Nothing in this ordinance shall apply to the sale by pharmacists licensed under the laws of the state of New York, nor to the use and possession by any individual, of any mixture, compound or preparation containing two grains of opium, or one-half grain of morphine, or one-half grain of heroin, or two grains of codeine, or thirty grains of chloral, or thirty grains of chloral hydrate, or a less amount of any one of these substances, in one fluid ounce, or in case of a dry preparation, in one avoirdupois ounce. No such mixture, compound or preparation shall contain more than one of said drugs or substances unless the same shall have been prescribed in accordance with the provisions of this ordinance. The provisions of this ordinance shall not apply to powder of ipecac and opium, sun cholera mixture, Squibbs diarrhoea mixture, compounded in accordance with the formula of the National formulary, or to liniments, ointments and other preparations sold, used or possessed, exclusively for external applications and containing any of the narcotics named in section two when the box, package or bottle containing such drug is plainly labeled "for external use only." Nothing in this ordinance shall apply to the sale by licensed pharmacists or veterinarians of compounds prepared in good faith exclusively for the use of horses when such pharmacists or veterinarians shall be affirmatively satisfied that the purchaser is not obtaining such compounds for the purpose of evading the provisions of this ordinance.

§ 10. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not exceeding one hundred fifty dollars, or by imprisonment not exceeding one hundred fifty days, or by both such fine and imprisonment.

(Adopted February 17, 1913.)

Also by ordinance adopted Sept. 5, 1911, it is provided as follows: Every apothecary, druggist or other person who sells arsenic, strychnine, corrosive sublimate, prussic acid, atropine,

potassium cyanide, chloral hydrate, hydrocyanic acid, morphine, carbolic acid (phenol U. S. P.), crystals or in liquid form stronger than 5 per cent. solution, and all other poisonous vegetable alkaloids and their salts, oil of bitter almonds containing hydrocyanic acid, opium and its preparations, except paregoric and such others as contain less than two grains of opium to the ounce, shall keep a book of records recording the date of such sale, the article and the amount thereof sold and the person or persons to whom delivered and their residence, which record shall be open to the inspection of any police officer or physician during business hours of each day, and each and every neglect to keep such a record as herein provided shall be deemed a misdemeanor and the person or persons guilty thereof shall, upon conviction thereof, be liable to a fine of not exceeding fifty dollars. The giving of a false and fictitious name to the apothecary, druggist or other person from whom such poison was purchased shall be deemed a misdemeanor and the person or persons guilty thereof shall, upon conviction thereof, be liable to a fine of not exceeding fifty dollars.

This ordinance does not apply to the dispensing of any of the above named articles on a physician's prescription, but prohibits the sale of the same to any minor.

CHAPTER 36-A.

JITNEY BUSSES.

Be it ordained, That the general ordinances of the city of Syracuse be and the same are amended by adding a new chapter thereto, to be known as chapter thirty-six-a and to read as follows:

Section 1. It shall be unlawful for any person, association of persons, or corporation, either as principal, agent or employe, without first procuring a license as herein provided, to use or operate upon any street, avenue, alley or other public place of the city of Syracuse any motor vehicle whatever for the carriage of persons for hire at a rate of fare of 15c or less for each passenger.

§ 2. That a motor vehicle, as the term is used in this ordinance, is hereby defined to be any motor propelled vehicle operated over the streets and public places of the city for the purpose of carrying passengers for hire which receives and discharges persons along the route traversed by said vehicle. This definition does not apply to any street or interurban railway or motor propelled vehicle used exclusively for sight seeing purposes or to motor propelled vehicles used exclusively as hotel buses or to any motor propelled vehicle which is rented from a fixed stand in the street, or from a private or public garage and the destination of which is under the direction of the passenger or passengers transported therein. The term "driver" is hereby defined as a person driving a motor vehicle. The term "motor vehicle" is further ordained to include machines or cars called "jitney" or "jitney buses."

§ 3. Before receiving a license for carrying on the business defined by the above sections of this chapter, any person, association of persons, or corporation desiring such license shall file with the city clerk of the city of Syracuse a map of its designated route showing the streets, avenues, alleys and public places upon which it is intended to operate, together with an application in writing for a license containing a verified statement of the operating schedule or headway to be maintained, the number of motor vehicles to be operated, and the tariff of fares to be charged for such service, the termini and the route or routes over which said vehicles are to operate. The city clerk shall cause public notice of such application to be published at least twice in the official paper of the city of Syracuse. After the completion of said publication, as hereinbefore provided for, the city clerk shall present such application together with the proof of publication of such notice to the common council at the next meeting following such publication. The common council shall at that meeting give a public hearing on such application and may approve or modify and approve as modified any and all such routes, operating schedule or headway, and the acceptance of the license thereafter granted shall be deemed an agreement by the applicant to operate its vehicle over the route upon the schedule according to such action of the common council and an agreement that

for failure to comply therewith the license which may be in force may be revoked. The common council may refuse to grant such license if, in its opinion, it is for the best interests of the city so to do.

§ 4. Upon the approval of such application by the common council, by ordinance duly adopted, and the approval of such ordinance by the mayor as provided by law, a license shall be issued by the city clerk to the applicant, which said license shall be countersigned by the mayor. The mayor may, in his discretion, refuse to countersign said license if he deems it for the best interests of the city so to do. Said license when countersigned by the mayor shall be delivered to the applicant therefor upon payment to the city clerk of the fee for the same as hereinafter provided and the filing by the applicant with the city clerk of the bond hereinafter referred to. Every such license so issued shall expire on the first day of July next following the date the same is issued unless sooner revoked by the common council, provided, however, that any license issued prior to the thirtieth day of June, 1915, shall not expire until the first day of July, 1916, unless sooner revoked by the common council. Each such license shall refer to the date of the approval by the common council of the statement filed by the applicant therefor and shall specify the number of motor vehicles to be operated pursuant thereto and the carrying capacity of each. For such license the applicant shall pay to the city clerk the following fees:

For each motor vehicle having a carrying capacity of not to exceed five (5) passengers.....	\$75.00
For each motor vehicle having a carrying capacity of more than five and not more than ten passengers....	\$100.00
For each motor vehicle having a carrying capacity of more than ten and not more than fifteen passengers..	\$125.00
And for each motor vehicle having a carrying capacity of over fifteen passengers.....	\$150.00

No license granted pursuant hereto shall be transferred to any other person, firm or corporation without the consent of the common council, a memorandum of which shall be indorsed on the license and license register by the city clerk.

"If any licensee shall fail to obtain from the public service commission the certificate of public convenience and necessity required by law upon filing with the city clerk a certified copy of the order or decision of such commission refusing such certificate, and any other evidence of such refusal that the city clerk shall deem proper to require, the licensee may have a refund of the license fee paid by him less five dollars.

Amend section five to read as follows:

§ 5. Before receiving such license, pursuant to the last preceding section, the applicant shall file with the city clerk a liability policy executed by some insurance company properly licensed to transact employers and public liability insurance in the state of New York, and which policy shall be in favor of the applicant for the license. Said policy shall be approved by the corporation counsel as to form and by the comptroller of the city of Syracuse as to its sufficiency and shall be security for the payment by such licensee of any damages occurring to or judgments recovered by any person or persons, except passengers, to whom a cause of action shall accrue against such licensee on account of damage or injury to person or persons, except passengers, arising from or out of the operation of such licensed vehicle during the term of such license. Such policy shall be in the sum of not less than five thousand dollars for injury or death to any one person, or less than fifteen thousand dollars for any one accident causing death or injury to more than one person.

The policy such as above provided for shall be kept in full force by the licensee so long as his license shall remain operative.

(Adopted June 7, 1915.)

§ 6. No permit to drive or operate any automobile for hire shall be granted to any person under the age of eighteen years.

§ 7. The council shall have the power in determining routes to be used by persons operating and driving automobiles for hire upon the streets of the city of Syracuse to fix and determine such routes and the termini thereof, and may provide for transfer systems to be used by any such person or persons.

§ 8. Such license shall be granted upon the following conditions:

(a) That said licensee shall and will for a period of not less than sixteen (16) hours out of every twenty-four hours during the term of such license maintain the operating schedules and tariffs of fares approved by the common council over the route or routes authorized by the common council unless prevented by acts of God, strikes, or causes beyond the licensee's control.

(b) That said licensee shall and will at all times obey the laws of the state of New York and all ordinances and traffic regulations of the city of Syracuse in regard to traffic in and over the streets and public places of said city, and all laws, ordinances and regulations relating to the operation of motor vehicles and the carrying of passengers for hire in such vehicles.

§ 9. It shall be unlawful:

(a) To operate or permit to be operated any such vehicle for hire off of or away from the route stated and fixed in the license for the operation of such motor vehicle without the consent of the common council.

(b) To reconstruct, materially alter, modify or add to the body or seating arrangements of any motor vehicle after the license therefor is issued without first applying for and receiving the consent of the common council of the city of Syracuse.

(c) To drive or operate any such motor vehicle while there is attached thereto any trailer or any other passenger carrying vehicle.

(d) To drive any such motor vehicle during the period from a half hour after sunset to a half hour before sunrise unless the inside of the body thereof shall be effectually illuminated.

(e) For any motor vehicle to pick up or discharge passengers at any point on any street or public place except at such points and places as shall be designated by the commissioner of public safety.

(f) For any person operating any such automobiles for hire licensed under this ordinance to permit any person other than his or its employee to stand upon the running board or

step thereof or sit upon the fender or dash or doors of said vehicle, provided, however, that firemen and policemen of the city of Syracuse when in uniform may ride free upon any such vehicle or any part thereof.

(g) For any person to engage in the business of operating an automobile for hire under the license provided in this ordinance unless he shall carry on the front of said machine a sign, plainly lettered and readable by night and day, giving the route to be traversed. Such sign shall be approved by the commissioner of public safety.

§ 10. In case any license granted under this chapter shall be for the operation of a motor vehicle from a specific terminus within the city to a village, suburban settlement or other specific terminus outside the city, between which termini there is no other frequent and convenient public transportation service, the fee for such license shall be ten dollars, such license shall be on condition that passengers shall not be received on or discharged from such licensed vehicle within the city limits, except at the city terminus, except that on outgoing trips passengers may be taken on along the route within the city, and on incoming trips passengers may be discharged along the route within the city. A licensee under this chapter who operates a motor vehicle on a route partly within and partly without the city shall not be required to furnish a liability insurance policy as provided in section five of this chapter, except to cover liability on the portion of the route within the limits of the city.

(Amendment of June 21, 1915.)

§ 11. The common council shall have the power and authority to revoke any such license at any time when, in its judgment, there has been a breach of any of the conditions upon which such license was granted without returning any part of the license fee paid for such license.

§ 12. Any person, association of persons, or corporation who shall operate upon the streets or public places of the city of Syracuse, any motor propelled vehicle as described in this ordinance without first procuring a license therefor as set forth herein, or who shall violate any of the provisions of this

ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. Such conviction shall be sufficient ground for the revocation by the common council of the license referred to without return of any part of the license fee paid for such license.

§ 13. This ordinance shall take effect immediately.

(Adopted June 7, 1915.)

SOLICITING ORDINANCE.

Section 1. It shall be unlawful for any person to solicit for a hotel, rooming house, garage, livery, restaurant, any other person or persons, in or upon any of the streets, avenues, alleys, or public ways or places within the city of Syracuse, or from any doorway or opening in any building fronting on or leading to any such street, avenue, alley or public place, unless such person shall be at least twenty-one years of age and a resident of the city of Syracuse for at least six months, and shall first have applied for and obtained a license to solicit, and paid the annual fee therefor of two dollars to the city clerk.

No person shall be granted a license to solicit for a hotel, rooming house, garage, livery or restaurant without filing the written consent of the owner or lessee of such hotel, rooming house, garage, livery or restaurant, and no such solicitor shall be permitted to solicit in front of any hotel, rooming house, garage, livery or restaurant (or other place of business) without filing the written consent of the owners or lessees of such hotel, rooming house, garage, livery, restaurant, etc., nor shall any person be permitted to solicit for or in front of any other hotel, rooming house, garage or restaurant than the one for which he takes out a license and in front of the one which files its written consent with the city clerk.

Any person found guilty of violating the provisions of this ordinance shall be guilty of a misdemeanor and subject to a fine of not exceeding fifty dollars, and said person's license to solicit shall also be forfeited and such person shall not be permitted to solicit for any of the purposes of this section in the

city of Syracuse for a period of one year from the date of conviction of violation of the provisions of this section.

This ordinance shall take effect at once.

(Adopted December 29, 1913.)

THROWING RUBBISH IN THE CANAL.

Be it ordained, that any person who shall sweep, throw, cast or deposit or cause to be swept, thrown, cast or deposited any ashes, dirt, stone, brick, straw, hay, grass, manure, weeds, chips, shavings or rubbish of any kind, or any animal or vegetable substance, or any slops or foul liquid, or foul substance of any kind whatever into or upon the margin of any canal, creek, brook or other public waters within the city limits shall be guilty of a misdemeanor and liable to a fine not exceeding fifty dollars, or to imprisonment in the penitentiary of the county of Onondaga not exceeding one hundred and fifty days, or both such fine and imprisonment, or to pay to the city a penalty not exceeding five hundred dollars to be recovered in a civil action.

(Adopted August 4, 1913.)

MISCELLANEOUS PROVISIONS—SPEED OF MOTOR VEHICLE— THROWING OF CONFETTI.

Be it ordained, that it shall be unlawful for any person to operate and drive a motor vehicle on any public highway of and in the city of Syracuse at a greater rate of speed than one mile in four minutes; and

Be it further ordained, that the commissioner of public works of said city be and he hereby is authorized and directed to place conspicuously on each main public highway where the line of said city crosses the same, signs of sufficient size to be easily readable by a person using the highway bearing the words, "City of Syracuse; slow down to fifteen miles;" and also an arrow pointing in the direction where the speed is to be reduced; and

Be it further ordained, that any person violating this ordinance shall be guilty of a misdemeanor and punishable by a fine not exceeding one hundred dollars (\$100); and

Be it further ordained, that all ordinances and parts of ordinances of the city inconsistent with the provisions of this ordinance be and the same are hereby rescinded; and

Be it further ordained, that this ordinance shall take effect thirty-five days from the date when the same shall have been approved and signed by the mayor of said city, and the city clerk is hereby directed to file with the secretary of state a certified copy of this ordinance at least thirty days before the same shall take effect.

(Adopted November 14, 1910.)

Be it ordained, that no person shall throw, scatter or use any confetti, serpentines, ticklers, feather dusters, slap-sticks, return balls or other similar devices, or any other article or fluid, in or upon any street, gutter, public square, park or sidewalk in the city of Syracuse, New York, or in any place where people are lawfully congregated within said city.

Any person violating this ordinance, or any provision thereof, shall be guilty of a misdemeanor and liable to a fine of not exceeding fifty dollars (\$50), or to imprisonment in the penitentiary of the county of Onondaga not exceeding fifty days, or both such fine and imprisonment.

(Adopted July 29, 1907.)

CHAPTER 37.

ORDINANCES.

Section 1. When any ordinance repealing a former ordinance or any clause or provision thereof, shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision unless it shall be therein expressly so provided.

§ 2. Except as herein otherwise provided, any person violating any ordinance of the common council of the city or any provisions thereof shall be guilty of a misdemeanor and liable to a fine not exceeding fifty dollars (\$50), or to imprisonment in the penitentiary of the county of Onondaga not exceeding one hundred and fifty days, or both such fine and imprisonment, or to pay the city a penalty not exceeding five hundred dollars (\$500), to be recovered in a civil action.

(Amendment of February 20, 1911.)

Be it ordained by this common council, that no dance to which an admission fee is charged shall hereafter be held within the corporate limits of the city of Syracuse until written permission therefor be obtained from the commissioner of public safety.

Any person violating this ordinance shall be deemed guilty of a misdemeanor and liable to a fine not exceeding fifty dollars, or to imprisonment in the penitentiary of the county of Onondaga not exceeding one hundred and fifty days, or both such fine and imprisonment, or to pay to the city a penalty not exceeding five hundred dollars to be recovered in a civil action.

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